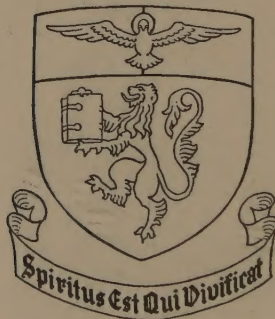


HISTORY OF EDUCATION IN IOWA



CLARENCE R. AURNER

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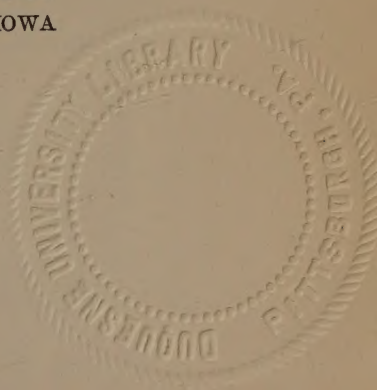


HISTORY OF EDUCATION IN IOWA

BY
CLARENCE RAY AURNER

VOLUME I

PUBLISHED AT IOWA CITY IOWA IN 1914 BY
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EDITOR'S INTRODUCTION

It would be difficult to estimate the far-reaching influence of schools and colleges in the growth of a Commonwealth like Iowa. And yet how little is the attention which has thus far been given to the development of our educational institutions either in the writing of history or in the teaching of education! Except for the oft-expressed desire on the part of such men as Theodore S. Parvin, Leonard F. Parker, Josiah L. Pickard, Alonzo Abernethy, Henry Sabin, and Homer H. Seerley for an adequate history of education the subject was quite neglected until, in 1912, Dr. Clarence R. Aurner undertook for The State Historical Society of Iowa the present researches — which in their completion contemplate six volumes.

It is, indeed, surprising that in no State of the Union has there been done for education what is now being accomplished in Iowa — the production of an adequate history of schools and of educational institutions. Moreover, the

history of education in the United States can be written only after the data have been harvested in the several States.

That the task of writing the first comprehensive history of education in an American Commonwealth should have fallen to one so enthusiastic, so well trained, and withal so experienced as Dr. Aurner is a matter of good fortune. As pupil, student, teacher, principal, and superintendent in the schools and colleges of Iowa, he has brought to these researches that fullness of personal observation without which the undertaking must have proved unsuccessful.

BENJ. F. SHAMBAUGH

OFFICE OF THE SUPERINTENDENT AND EDITOR
THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

AUTHOR'S PREFACE

A HISTORY of education in Iowa was projected in 1872, when a committee appointed by the State Teachers' Association was authorized to proceed with the preparation of such a work. Thereupon public advertisements appeared in which a request was made for information relative to any material that might throw light upon the subject, resulting, it appears, in a collection of more or less value. Although such measures were indicative of earnestness, the proposed volume, which it was hoped might be compiled within a single year, was not produced.

Again, in 1874 the desirability of such a history was mentioned by the Superintendent of Public Instruction who, doubtless, was moved to this conclusion by the action of the department of superintendence of the National Teachers' Association, by which it had been resolved that each State and Territory should provide for the preparation of its educational history for the centennial exposition of 1876. At the same time, the Superintendent of Public Instruction, although recognizing both the desirability and permanent value of such a compilation, felt that his office could not undertake the work,

however pleasant the task might be. Moreover, it was his opinion that the publications of his office could not legitimately include such a history; and he thought it would be preferable to assign the task to someone who could devote more time to the investigation than he himself would be able to command.

It was not until 1889, however, that a number of contributors supplied *The Iowa Normal Monthly* with the material relative to education in the Territory and State which comprised the historical volume of that journal marking the fiftieth anniversary of the first school legislation in Iowa. This volume, it may be said, included a survey of all phases of education in the State, elementary and secondary, private academies and normal schools, colleges and State institutions, as well as the history of supervision in both the State and county offices. Although a large part of this material is biographical there is much that is suggestive of original sources — which makes the volume of great value to students of educational history. No part of the educational interests of the State, it was declared, had been left untouched by the contributors, who were Theodore S. Parvin, R. A. Harkness, Henry Sabin, Homer H. Seerley, Josiah L. Pickard, D. S. Wright, W. I. Chamberlain, William M. Brooks, Ira C. Kling, Nicholas W. Boyes, Jacob Wernli, W. F.

Cramer, Jonathan Piper, and Leonard F. Parker. Through the joint effort of these men, therefore, the first definite plan for the preservation of data concerning the educational history of Iowa was matured.

Two years subsequent to the completion of the work just mentioned, Professor Leonard F. Parker, then a member of the faculty of Iowa College, was authorized by the United States Bureau of Education to compile, for publication by the government, a monograph on the *History of Higher Education in Iowa*. This work, it should be said, is known as No. 17 in a series of monographs on higher education in the various States, edited by Professor Herbert B. Adams of Johns Hopkins University. In his letter of transmittal, Commissioner William T. Harris declared that "besides the local interests to which such a work appeals, there is much in the educational history of Iowa which is instructive to all students and observers of educational progress, since within her limits there has appeared from the time of the earliest settlements a noteworthy zeal in founding institutions of learning and in providing instruction for all classes of the people."

On the fiftieth anniversary of the organization of State government in Iowa (1896) an educational journal editorial expressed the belief that "it would be an unsatisfactory task to attempt to follow the

history of school legislation in Iowa'' because of the patchwork clearly shown in the statutes. It is quite certain, therefore, that no effort has ever been made to prepare a documentary history of education, including all the legislation on the subject, up to this time. Furthermore, the editorial mentioned would convey the impression that such an undertaking would be of little consequence to the person engaged in the task or to others. No trial, however, was ever made of the matter to test the truth of the statement.

Finally, in 1909 an association having for its purpose the preservation of all classes of matter relating to the educational history of Iowa was formed at Cedar Falls with a full complement of officers, namely, a president, vice-president, secretary, treasurer, executive committee, and board of curators.

Such was the situation when in 1912 the present work was projected in six volumes, two of which deal with elementary education. Occasionally, however, it has seemed necessary in these two volumes to mention other phases of education for explanatory purposes. Originally the author was interested in the one subject of districts — their organization and administration — without thought of developing a general history. Subsequent to the discussion of this one subject the larger view of a comprehensive history of education in Iowa was made possible

through the assistance of The State Historical Society of Iowa, in which during the past three years the author has occupied the position of Research Associate. In fact, through this institution not only has the publication of this work been made possible, but much valuable advice and assistance has been received in the preparation and revision of the manuscript; while in the library of the Society the greater part of the source material has been found. Encouragement has also come from the Graduate College of the State University of Iowa in which the writer held the senior fellowship for one year.

The author is therefore under obligations to the Superintendent and Editor of The State Historical Society, Dr. Benj. F. Shambaugh; and also to Dr. Carl E. Seashore, the Dean of the Graduate College. He is indebted also to Dr. Frederick E. Bolton, in whose seminar the reports on the preliminary work connected with the study of districts were made, and to Dr. Walter A. Jessup, Dean of the College of Education, both of whom have encouraged the larger study. In the collection of material a number of persons have assisted and to these acknowledgments are due. Miss Eliza L. Johnson aided in the verification of the manuscript; Dr. Dan E. Clark has carefully read the proof sheets; while the indexes are the work of Mr. Jacob Van der Zee.

During the progress of the researches many thousands of pages of original source material have been examined. These have included United States statutes, the laws of the Territories of which the Iowa country was at various times a part, the messages of the Governors of Iowa, the journals of the two houses of the legislature and the session laws from 1838 to 1913, the journals of the constitutional conventions and the debates of the convention of 1857, local records (county, township, and city), reports of State officers, minutes of governing boards, local papers, school journals, court decisions, and correspondence. The sources are cited in the *Notes and References* at the close of the volume.

It has seemed best to present first a general introduction to the history of elementary education in Iowa, and thereafter to classify the material under thirty-six chapter headings. While it is clear that in such an arrangement some repetition may become necessary, it is believed that such repetition will be of considerable assistance to the reader. In many instances the material at hand has been so voluminous that the writer was forced to make a selection, which has been done with the purpose of preserving that which seemed most essential without destroying the continuity of the chapter.

CLARENCE RAY AURNER

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

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PART I

GENERAL HISTORICAL INTRODUCTION

I

EDUCATION DURING THE TERRITORIAL PERIOD

WHEN the Iowa country was attached to the Territory of Michigan in 1834, for the purpose of temporary government, the laws of that Territory were extended over the newly settled area west of the Mississippi. It is, therefore, to the statutes of Michigan that one must turn for the earliest legislation concerning the organization and administration of schools in Iowa. Indeed, the only legislation on the subject of education applicable to the Iowa country prior to 1839 is contained in the laws of Michigan. It is probably true that our "first schools" gave little heed to legal requirements and were conducted as the local community might determine. At the same time it is important to note that after June 28, 1834, there were in force in the Iowa country laws which might have been invoked in the organization and administration of schools.

Moreover, through the legislation of the Territory of Michigan which was extended over the Iowa country in 1834, one may trace the influence of New England school laws. Especially is this influence discernible in the Michigan acts of 1827, 1828, 1829,

and 1833 which made provision for the care of school lands, for the organization of districts, for school support, for the schooling of children between the ages of five and fifteen, for township supervision and control, for the examination and employment of teachers, for the visitation of schools, and for a Territorial superintendent of common schools.¹

So closely is the history of education interwoven with the history of local government that the development of schools can not be traced without occasional reference to the machinery of local administration. Indeed, this relationship was so evident to the early law-makers that it seemed to them quite useless to enact school laws until provision had been made for township organization. When, in September, 1834, the Territory of Michigan first legislated for the Iowa country the whole region to which the Indian title had been extinguished was divided into two counties and each county was constituted a township. Thus the original counties of Dubuque and Des Moines constituted at the same time the townships of Julien and Flint Hill.² The same course was later pursued by the original Territory of Wisconsin, when in 1836 the original counties of Dubuque and Des Moines were subdivided and new counties created; for it appears that each of the new counties was constituted a township.

It is a well authenticated fact that the first school in the Iowa country was conducted as a private

venture in the settlement which was located on the Half Breed Tract within the boundaries of the present county of Lee; and it is said that the first real school house was erected in Dubuque about 1833. Schools are known to have existed in Burlington as early as 1834. Of these early schools the teachers and some of the patrons are well known. Previous to the organization of the Territory of Iowa in 1838 schools were reported in the counties of Jackson, Scott, Muscatine, Louisa, Henry, and Van Buren. Indeed, it is estimated that the total number of schools in the Territory at that time was between forty and fifty.³

Such was the situation when the first Territorial legislature of Iowa met at Burlington on November 12, 1838. Delivering his message in person, Governor Robert Lucas declared that provision should be made at once for the organization of townships, since "without proper township regulations it will be extremely difficult, if not impracticable, to establish a regular school system." That the Governor drew his conclusions from the experience of people in other jurisdictions may be inferred from the statement that "in most of the States where a common school system has been established by law, the trustees of the township are important agents in executing the provisions of the law." Later in the same message he declared that there was no matter to which he wished to call the attention of the legislature "more emphatically, than the subject of establishing, at the commence-

ment of our political existence, a well digested system of common schools''.⁴

The House of Representatives was not long in passing the bill on schools which was introduced on November 22, 1838. This bill, after amendment by the Council, went to the Governor for his signature on Christmas day. It appears, however, that after passing this school bill the House was not satisfied that its provisions would prove sufficient, for on January 3, 1839, a resolution was adopted authorizing the appointment of a special committee to collect information through correspondence with the Governors of the several States in which school systems had been adopted, as well as with the presidents of colleges throughout the United States. The committee was instructed to consult with "literary gentlemen and others conversant with the subject" in order that full information might be presented to the legislature relative to the amount and mode of instruction and the cost and plan of organization. Information as to the "amount and kind of legislative patronage" which was granted in the several States was to be secured through the collecting of "statutes, charters, and other public documents".⁵

Such were the duties assigned in 1839 to the *first Iowa school commission* which was composed of "the Governor and Secretary of the Territory, Charles Mason, Joseph Williams, T. S. Wilson, W. W. Chapman and P. H. Engle, with the honorable J. B. Browne, President of the Council, and W. H.

Wallace, Speaker of the House of Representatives.” Although there is no evidence that the committee as a whole ever submitted a formal report, the fact that its chairman, Governor Lucas, made a definite recommendation at the opening of the next Legislative Assembly in November, 1839, and that the bill proposed later received such unanimous approval, seems to warrant the conclusion that careful consideration had been given to the instructions of the legislature.

Referring to the subject in his second annual message, Governor Lucas observed that “the act passed at the last session, is too limited in its provisions to serve as a foundation for a well regulated system. I would therefore, recommend its revision, and call your attention to the school law of the State of Michigan, as worthy your attention, and from which much useful information may be obtained.”⁶ The Iowa law to which the Governor referred had been approved on January 1, 1839. It made provision for the establishment of “a common school, or schools, in each of the counties of this Territory, which shall be open and free for every class of white citizens between the ages of four and twenty-one years.” The county boards (then consisting of three commissioners) were authorized to form districts in their respective counties when petitioned by a majority of the voters within the area where a district was desired. From a careful reading of the act it is apparent that an area not less than a township in extent was to be

included in the district, for no area less than a township would possess school lands to lease as the law provided. In the organization of such a district the law required the selection of seven officers, namely, three trustees, a clerk, a treasurer, an assessor, and a collector. Furthermore, the district was made a "body corporate and politic".

Provision was made in this act for such support as the district might determine, through a purely democratic arrangement; but the total assessment for such a purpose could not exceed ten dollars per annum for each individual taxpayer. It was provided that the sum could be paid either in cash or in "good merchantable produce at cash price"—thus giving recognition to the economic conditions of the newly settled country.⁷

Although this law was limited in its provisions and remained in force but one year, it appears to have been sufficiently comprehensive to satisfy the people of certain sections of Lee County; for on February 3, 1840, less than a month after the approval of the new law, citizens residing in township sixty-seven north, range five west, presented a petition to the county commissioners requesting the establishment of that township as a school district. In granting the petition the county commissioners quoted the law under which the action was taken. A similar petition was presented soon afterward from citizens of an adjoining township—that is, township sixty-seven north, range six west. Without delay this township also was declared a school

district. The action in establishing these school districts, it may be observed, was taken previous to the establishment of civil townships (other than of full counties in extent) in the Territory of Iowa, or indeed in any of the country west of the Mississippi River.⁸

Still another instance of the application of the first act seems to be evidenced by the statement of an early citizen of Dubuque that "in 1838 and 1839 as one of three school trustees [I] was engaged in organizing our district schools and built two school houses on or near the sites of the present First and Third ward school houses."⁹

Acting, as it appears, in accordance with the Governor's recommendations, and supported doubtless by the approval of the committee appointed the previous year, the Assembly of 1839-1840 took over the Michigan school law of 1838, adopting it section for section. By this act, which was approved on January 16, 1840, the establishment of districts and all the details of school organization became a township function, the school inspectors being authorized to perform all the duties and to report annually the condition of their schools to the clerk of the district court. The duties of the inspectors relative to teachers, funds, visitation, and general supervision are discussed in another place.

No fault could be found with the school law of 1840 on account of its brevity nor for its failure to make due provisions for all the details of organization. It reduced the number of district officers

from seven to three, namely, a moderator, a director, and an assessor. The first was chairman, as the term moderator implies; the second was in reality the clerk; while the assessor was not only authorized to apportion the tax but also to collect the same and pay it over to the chairman of the board of inspectors who was *ex officio* the treasurer.¹⁰

In adopting this act from the statutes of Michigan it is evident that sufficient consideration was not given to its provisions and to legislation necessary to carry it into effect. Since it included a "superintendent of public instruction" to whom the clerk of the district court in each county should report annually, it is clear that provision should have been made for the election or appointment of such an officer under legislative authority. But no such action was taken until a year later (in January, 1841); and so, for the time being it was quite impossible to put into effect certain provisions of the act of 1840.

Other evidence is at hand, however, which shows that this was not a very important matter, since the law of 1840 was, for the most part, less adapted to existing conditions in Iowa than was the statute of 1839. Indeed, it appears that the provision for county control over the districting and for local control thereafter was sufficient until townships were well established. By the Governor the law of 1840 was thought to be beyond the needs of the Territory. It was desirable, however, to "start out right and build up a good system as fast as the

population and wealth of the territory would warrant."¹¹

It was not until the third regular session of the Legislative Assembly (that is, a year after the adoption of the law providing for the office) that the selection of the Superintendent of Public Instruction was made possible through appointment by the Governor with the approval of the Legislative Council. Moreover, it appears that this was done more to fulfill the requirements of the law of 1840 than for any real executive need, since the duties of the Superintendent were largely clerical, there being no mention of control over "instruction".¹²

Although the first Superintendent of Public Instruction was, as the law provided, appointed for three years, he was actually legislated out of office within a year. In the meantime, however, he had secured considerable information relative to the educational situation which was incorporated in a report to the Legislative Assembly and thus preserved. The report showed that schools were in operation under the law of 1840, and that where townships were organized and regular elections held the school inspectors had been duly chosen. In Des Moines County inspectors had been elected in nine townships. Four townships from Lee County reported to the Superintendent of Public Instruction through the clerk of the courts. Van Buren County had acted in accordance with the provisions of the law and had elected inspectors, by whom several townships had been districted. There was "no

want of zeal" in Louisa County; while schools were organized in the larger towns of "Bloomington, Dubuque, Mount Pleasant, Fort Madison and Iowa City". Burlington had seven schools, including private institutions, "in which the higher branches of an English education and the Classics" were taught, as well as having a school devoted to the education of young ladies.¹³

The report then made by the Superintendent was perhaps not an exact indication of the extent of educational activity under the law, since returns were not readily secured. It was sufficient, however, to show the possibility of systematizing instruction in the Territory at the very beginning, provided popular support was secured and a directive head was given authority and sustained in his position.

The comprehensive view taken by the Superintendent of Public Instruction relative to the action which the legislature should take in making provision for a school system was shared by a committee appointed by the Council at the session of 1841-1842. Fortunately the report of this committee is available. In the first place it was assumed that argument was unnecessary to secure a realization of the obligation of the Territory or State; and it was concluded that "the failure, in the new States in the organization of a proper system of Common Schools, is attributed more to want of interest and a mistaken view of the policy necessary to be adopted to insure the advancement of the cause of education, than any want of a school fund." The postponement

of action because of being "too new or too sparsely settled" had prevailed in some States so long that individuals had become discouraged. It was the opinion of the committee that Iowa could avoid such a condition by "perseverance in the system" already commenced.

To meet the situation it was considered essential that the office of Superintendent of Public Instruction be retained and its influence extended throughout the Territory. Reference was also made by the committee to the active efforts of the incumbent in the collecting of information from other States as to their plans of organization. Throughout the report the most optimistic view of what could be accomplished through continued effort was expressed. All arguments appeared to be useless, however, since it was evident that the attitude of the legislative mind toward the office of Superintendent of Public Instruction was already unfavorable, although by a small margin. Indeed, the office was abolished by vote of the Legislative Assembly on February 17, 1842.¹⁴

It is probable that the House of Representatives heard a report on the matter previous to that referred to above, but of an entirely different character. While Governor John Chambers had declared in his annual message that the plan of public instruction had only partially been put into effect — due either to defects in the system itself or to the indifference of those whose duty it was to provide for its enforcement — he recommended additional

legislation to cure any evil that might exist. No delay, he thought, should be permitted to cause further failure in securing a full observance of the law.

This part of the Governor's message was referred to the committee on schools, who in their report reviewed the provisions for a system of education from the beginning of the Territorial government and considered the results as set forth in the report of the Superintendent of Public Instruction. All new and sparsely settled regions were, according to the committee, practically the same in their experiences relative to this matter; and they thought that it was useless to expect large results until funds were available. The Territorial legislature could not at this time furnish the necessary aid; and while the future prospective receipts from various sources were accumulating it was not thought advisable to make any change in the laws. Moreover, the office of Superintendent of Public Instruction, created at the last session, was deemed "unnecessary" and should therefore be abolished.¹⁵

Following the session of 1841-1842 the Legislative Assembly succeeded the Superintendent of Public Instruction as the "head" of the school system. To that body the clerk of the board of county commissioners in the several organized counties was required to make annual reports of data filed with them by the township inspectors. The law had previously provided that such reports

should be returned to the clerk of the district court. With no responsible central authority to whom these county officers were accountable, it was quite certain that information relative to general school operations would not be preserved within the Territory.¹⁶

Such was the status of school legislation up to January 15, 1846, when a law providing for a county school tax was approved by the Governor.¹⁷ An effort had been made during the preceding session to amend the school law of 1840, a bill to that effect having passed the House by a majority of one. The Council, however, soon disposed of the measure when the committee to whom it had been referred declared that it was "inexpedient to make any change in the school law, until we change from a Territorial to a State government."¹⁸ With the adoption of a State Constitution some of the original plans were restored; and following State organization there were real efforts to establish a school system. The reaction during the Territorial period was doubtless the result of the wholesale adoption of a plan better suited to an older settlement.

II

EARLY STATE LEGISLATION

THE State Constitution under which Iowa was admitted into the Union in 1846 provided that "the General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement", and should endeavor to fulfill these requirements by legislating for a "system of common schools" which should be maintained in each school district for not less than three months each year. Thus a constitutional minimum was placed upon the length of the school term which was enforced by a penalty that deprived the district of its portion of accrued interest on the permanent school fund during the time of such inactivity.

Again a Superintendent of Public Instruction became the head of the school system — this time by constitutional rather than by statutory provision. But aside from establishing the office of Superintendent and designating three years as the term of service, the Constitution was silent; and so the organization of the department of public instruction was left to subsequent legislation.¹⁹

It is interesting to observe that the very first act of the First General Assembly of Iowa was in

relation to the school fund, which was doubtless passed in anticipation of the enactment of the law providing for its distribution which followed early in the year 1847. While it was clear that until data were at hand on which to make estimates the fund could not be justly distributed, it appears also that inspectors had not been elected in all townships as provided by the law of 1840. It is, therefore, an indication of the general interest in education that the subject of schools and the school funds should be the first to receive the attention of the General Assembly.²⁰

In 1847 an act providing for the incorporation of the city of Dubuque under a special charter contained a section authorizing the city council to establish and provide for the support and government of a system of public schools within that city whenever they deemed it expedient.²¹

But of much more significance was the enactment of the general school law of 1847, which was substituted for the statute adopted from Michigan in 1840. By this law a change was made in the administration of schools not only in the county, but in townships and districts as well. Although the act of 1840 was followed in general outline it was modified by the creation of the office of school fund commissioner, the reduction of the number of township inspectors from three to one, and the vesting of district control in three directors, without the authority formerly delegated to an assessor and collector. One of the three directors was to be

selected to act as clerk and one as moderator. The moderator was directed to preside at the district meetings, which had power to determine all matters pertaining to the educational problems in the district, independent, it appears, of any general action.

The single inspector provided for by the legislation of 1847 was charged with the duties formerly delegated to the three inspectors and to their chairman acting as treasurer. In the economy of administration the township clerk became ex officio clerk to the inspector as under the act of 1840. The school fund commissioner occupied a position chiefly clerical. At the same time he was responsible for the oversight of the entire resources of the school fund belonging to his county, and was the avenue of communication with the Superintendent of Public Instruction, being required to supply him with information relative to the educational interests in his county.²²

On technical grounds the act of 1847 was declared unconstitutional, the decision having been rendered in an agreed case tried in the district court of Johnson County. Not having been published "by authority" the law was declared of no effect, thus leaving the elections under the act to be remedied by new legislation.²³

Governor Ansel Briggs in his message to the General Assembly, which convened in special session in 1848, declared that the laws relative to common schools needed "immediate and careful attention". Although the law of 1847 might then be in force

according to the curative act approved on January 22, 1848, there were no officers legally chosen to carry it into effect. The people, in his opinion, did not really understand what statutes were to be obeyed; and although some officers had entered into bonds and undertaken to perform their duty there was much embarrassment. Indeed, the Superintendent of Public Instruction was among those who had entered upon his office under such conditions.²⁴

An act authorizing a district tax for building purposes was the only legislation radically affecting schools which was passed during the special session of 1848. In the law of 1847 it had been provided that "all moneys necessary for the erecting and furnishing school houses, shall be raised by voluntary subscription", notwithstanding the fact that the law of 1840 had made provision for a building tax up to \$500 in any district.²⁵

In 1849 all legislation for the establishment of schools theretofore in force in the State was repealed, and a new statute incorporating the general provisions of that legislation, along with some new features, was enacted. By this new statute the office of township inspector was abolished. The county school fund commissioner now assumed the duties of the inspector in establishing school districts in the townships or precincts of his county, as well as continuing to perform his regular financial and clerical duties. The district board was made to consist of a president, a secretary, and a treasurer elected by the people of the organized

district. The electors were authorized to determine whether "a school of higher grade" should be established in the district, to determine the course of instruction and the number of instructors to be employed, and to "cause the district board to make such classification of the pupils" as they might deem necessary, for which purpose they were empowered to erect "one or more permanent school houses". This, it is interesting to note, is the first definite provision for higher instruction, courses of study, or classification in the school legislation of Iowa.²⁶

While available records of school districts operating under the act of 1849 are rare, it has been possible to obtain sufficient information to indicate the course of proceedings. For example, the electors of school district number three of Iowa City Township in Johnson County, pursuant to lawful notice "met and elected the following officers": President, Isaac V. Dennis; Secretary, Chauncey Ward; and Treasurer, John Clark. Such are the minutes entire of the transactions on October 15, 1851. From subsequent records it is clear that about a year later the district was divided by the school fund commissioner and that an election was held to authorize a tax for the erection of a building to be "of such size and dimensions" as the building committee might think proper. The building committee, having been selected by vote, was instructed "to take into consideration the wants and necessities of the district and to build a house large enough to make it comfortable and convenient for all the district."

This action was taken in October, 1852, when the electors ordered the committee to proceed at once with the erection of the house which should be ready for occupancy by June 1, 1853.

These records which continue until 1857 throw some light on the actual doings of the district relative to the payment of teachers, taxation, the apportionment of deficiencies in the teachers' fund, and the method of meeting contingent expenses. While these topics will be treated in later chapters, it may be noted in passing that in this district the payments to teachers in 1849 amounted to twenty-four dollars; in 1850 to thirty-seven dollars; in 1851 to thirty dollars; and at the end of the fourth year the secretary declared that he had advanced six and a half dollars to meet a deficit. At a later date (October, 1855) twenty dollars of the funds available were retained for a "summer school", while for the winter term it was requested that each scholar furnish one-half cord of wood "already cut for the stove". In 1857 one-half the expense of maintaining the school was assessed to the scholars attending.²⁷

Another illustration of the operation of the early school laws is found in the first annual report of the directors of district number one of Bloomington Township in Muscatine County. In this report, which was issued in 1854, there appears a resumé of previous action beginning with the year 1848—although it is said that nothing of importance was done until 1850, when a board was selected consist-

ing of a president, a secretary, and a treasurer. During the years 1850 and 1851 the school, which was maintained during the winter season only, was held in rented rooms. Although the district voted in 1850 to levy a tax for the construction of a building, it appears that such building was not completed until March, 1853. The first term which was opened in March continued until August, when an assessment of ten cents a week was levied upon each pupil to meet deficiencies. In 1854 the assessment was increased to twelve and one-half cents to meet the increased expense of employing an additional teacher.²⁸

The Burlington public schools were formally organized in March, 1849, under the law approved in January of the same year. It has been said, however, that free schools had been available to some extent almost from the establishment of the city, but not under an organization similar to that proposed in 1849. Upon the call of Mr. William Walker, the school fund commissioner of Des Moines County, the electors of district number two in the township of Burlington assembled to the number of sixty-eight for the purpose of organization. Among those present were James Clarke, James W. Grimes, William Salter, Jonathan C. Hall, David Rorer, Isaac Leffler, and James D. Eads. The single district which these sixty-eight electors represented had been formed from all the former districts of the city by the school fund commissioner who, under the law of 1849, was authorized to form districts.

A movement, which appears to have been initiated by Mr. James W. Grimes and approved at this time by the electors, authorized the appointment of a committee to ascertain the propriety of constructing one or more school houses as well as to obtain information relative to sites and the actual needs of the district for "schooling" during the succeeding summer. Some two weeks later, upon receiving the report of this committee, the electors voted to erect two buildings during the year 1849, provided the entire expense, including sites, should not exceed \$4500 each. It was further resolved to levy a property tax of not more than one per cent for this purpose. Thus the first steps were taken to provide the North Hill and the South Hill schools which were completed, not, however, as anticipated, in 1849, but in 1852 and in 1853 respectively. Schools were opened, nevertheless, in 1849 as ordered, the town being divided into four sections, in each of which a school was established — although only one division, it appears, had a building for this especial purpose, quarters in rented houses being provided for the others. Four men and four women were employed — one of each sex in each sub-division of the district, the compensation being fixed at twenty-five and at eight dollars a month respectively.

It was not until April, 1852, that school was opened in the new North Hill house under the direction of the principal, Mr. Charles Ben Darwin, who in the beginning had three assistants. The number of assistants was soon increased to nine, all

of whom were employed in a building consisting of four main rooms and one small recitation room. The condition of the district was set forth in 1853 by Rev. William Salter, president of the board, who declared that during 1852 a superintendent or principal to take entire charge of these schools had been sought for but without success. It had been agreed, therefore, to authorize each teacher to direct his own department, which arrangement had already prevailed for two quarters. While a slight reduction had been made in expenses, it was observed that there was a notable need of better discipline.

It is intimated in this report that the boys and girls were taught separately where accommodations would permit, since in one instance particular mention is made of the fact that boys and girls were seated in the same room. At this time (1853) there were nearly 1200 persons of school age in the city, two-thirds of whom, it was said, were enrolled in the schools. The buildings were arranged to seat seventy-five pupils in each room, whereas one hundred frequently had been in attendance. The instruction included primary and grammar departments, no place having yet been made for higher subjects. Through this public report the board expressed their regret at not being able on account of the low wage offered to secure a competent person as supervisor who had experience in the management of a large school system.

The rules adopted by the board required the school sessions to open at nine and at one-thirty

o'clock and to close at twelve and four-thirty. The primary department was allowed fifteen and the grammar department five minutes each half day for intermission, while no pupil should appear until twenty minutes prior to the opening of the session. Moreover, playing in the school building or rude and noisy play upon the grounds was expressly forbidden. Pupils must not study aloud nor make improper gestures in the school room; neither should they leave their seats without permission. If one should appear later than within twenty minutes after the time of opening admittance was to be refused.²⁹

From the second annual report of Mr. Thomas H. Benton, Jr., Superintendent of Public Instruction, it appears that not only Burlington but Muscatine and Dubuque also were undertaking permanent improvements in buildings at about this time. Although in the valley of the Des Moines River and in some of the northern and most western counties many comfortable buildings had been provided, Mr. Benton expressed the hope that the older towns along the Mississippi River would lead in these improvements since more could be expected of them. From the beginning of his administration Benton had urged the construction of permanent buildings, and he was convinced of the economy that would obtain in the centralizing of schools under one roof. Separate buildings with few unclassified pupils were to him the greatest extravagance where the population admitted of classified groups. It was

in this report, submitted in 1850, that he recommended Barnard's work on school architecture as a guide to school officers.³⁰

At the opening of the Third General Assembly in 1850 the message of Governor Ansel Briggs directed attention again to the needs of the common schools. It was his hope that considerable time and attention would be given to the subject in an effort to perfect the system. While the law of 1849 had remedied many of the defects in the previous act, the Governor declared that owing to the many deficiencies in the statutes then in force a revision was desirable. Moreover, there was some promise at this time that the newly appointed code commission would either propose a new law, or at least "prune away the excrescences" and supplement the law already in force. And so, the work of this commission along with the report of the Superintendent of Public Instruction, was suggested as an aid to the members of the General Assembly in advancing the interests of the common schools.³¹

Again, in 1852 Governor Stephen Hempstead declared that no subject could claim to be of more pressing interest than that of public instruction. With a State government but recently organized, and with people scattered over a great extent of territory, many of them destitute of the ordinary means of instruction, no subject should present a stronger appeal. Suggesting a revision of the laws already enacted, the Governor urged first of all that the opportunity of securing an elementary education

be placed within the reach of every child, so that he might be able to discharge his civil and social duties. Two years later (1854) he recommended a change in methods of administration by which the great army of school officers might be reduced in number; and in order to make the laws effective he believed that they should be simplified by removing many complications and contradictions.³²

At the close of his first term of service as Superintendent of Public Instruction in 1854 Mr. Thomas H. Benton, Jr., made the following statement:

Having been identified with our school system for the past six years, I now take my leave of it with feelings of deep solicitude. Its history thus far is but the history of its infancy. There was a period when I entertained serious misgivings as to its fate, but time has dissipated my fears. Its destiny is now fixed, and a bright future awaits it. It is emphatically an institution of the people, and the people will sustain it. . . . Our State is admirably adapted to a system of public schools. We have but a very small proportion of unproductive lands, and our population will be dense and compact, and the time will come when Iowa will rank second to no State in the Union for educational facilities, both public and private.³³

At the time that these words were written by Mr. Benton there were more than 2350 organized districts in the State with over 111,000 persons of school age. But few more than 1500 of these districts had provided schools during the year; while less than 45,000 of the persons of school age were

enrolled, and these were taught by 1700 teachers who were paid less than twenty dollars per month for men and less than ten dollars for women.³⁴

By an act "to extend the powers of school districts", approved on January 24, 1853, it became optional with the districts which had been formed under the authority of the county school fund commissioner to provide for independent organization; but such districts were not competent to make further alteration, except by vote of the district or districts concerned. A board of trustees elected under this statute was empowered to make a "rate bill" and to enforce its collection.³⁵ Other than this act there was little legislation relative to schools until 1857.

III

THE EDUCATIONAL AWAKENING

THE conditions existing in 1854 are indicated in some degree by the report of Mr. James D. Eads, then Superintendent of Public Instruction, wherein he states that during the year he had visited a "large number of union or graded schools" in the larger towns. He had noted the "many advantages they possess, when properly conducted, over those schools which maintain separate organizations." While there were noticeable economic advantages in a central building, the chief gain lay in the classification and methods of instruction which were suitable for adoption in a school where there were several departments, and which permitted the grouping of pupils with like attainments.

The "proficiency" of pupils under the management of a teacher who taught those branches only which were suitable to the advancement of the pupils was especially to be commended. Furthermore, it was possible under such a system for the pupil to enter the lowest department without even a "knowledge of the alphabet" and to advance step by step until he graduated from the highest department with preparation possibly for college or university, should he desire a more "finished education" than he had already obtained.³⁶ It was in this elementary

way that the graded school had its inception; and it is a fact worthy of special emphasis in this connection that from this date it continued to develop in Iowa under the leadership of men who devoted their time and energy to its development and perfection.

Again in 1856 attention was called to the "new system", and from Ohio, especially, illustrative examples were cited showing its operation. Other States as well were testing the efficiency of the new plan, and in cities and larger towns it had been introduced "with the happiest results." The suggestion was made at this time that if the State should decide, by liberal appropriations, to encourage the general introduction of union or graded schools, then it was but right for the legislature to regulate the "style of building" and the "least quantity of ground" that should surround it.³⁷

The complicated and contradictory status of the school laws, referred to by Governor Stephen Hempstead in 1854, received further attention from Governor James W. Grimes in 1856 when he recommended in his message to the General Assembly, then in special session, the revision of the school laws of the State by three commissioners who should submit their report to the next General Assembly. A direct result of this recommendation, it appears, was the appointment of the *second school commission*, consisting of Horace Mann, President of Antioch College, Ohio; Amos Dean, President of the State University of Iowa, but residing at Albany, New York; and Judge F. E. Bissell of Dubuque.³⁸

The report of this commission, submitted at the close of the year 1856, with its accompanying bill, marks an epoch in the legislative history of education in Iowa. Unfortunately the proposed law in its original form does not seem to have been preserved in the archives of the State; but the report supporting it is available and is justly considered a most important State paper. Furthermore, the main features of the bill as drawn by the commission, and possibly its exact language in many parts, were incorporated in laws subsequently enacted.

While the provisions of the bill as proposed by the commission will be discussed in subsequent chapters of this work it is desirable in this connection to notice the attitude which the commissioners assumed toward their task. The entire report was the work of men who were without first-hand knowledge of local conditions. Judge Bissell was unable to serve and the remaining two members were "relying upon him to furnish them with that local knowledge so essential to all just and wise legislation." The members were frank enough to say that previous legislation upon the subject was "in the main, judicious in its provisions, but fragmentary in its character, lacking in general aims, and entirely wanting in unity or completeness."

Before proceeding to draft a law for Iowa the commissioners sought information from other States; and through their investigations they discovered a great variety of provisions, all of which were outgrowths of "time and necessity". But

“here, for the first time, a great State, situated in the centre of a mighty Union, possessing exhaustless resources of agricultural and mineral wealth . . . demands a system of public instruction adequate to the full development of its great physical resources, and of the intellect and moral power of its people.” With this fact in mind the commission sought to present a system “so perfectly constituted” that its parts should never conflict but always mutually support each other. No State, it was said, could furnish an adequate guide to this end, and therefore the commission based their recommendations in substance upon four fundamental principles.

In the first place, every youth in the State was entitled to an education “in the elements of knowledge”; and any one desirous of further progress should be offered the necessary opportunities. Furthermore, those persons who possessed more than ordinary ability should be encouraged by having their education “furnished as a reward of their merit”, provided the State should later obtain a service of value in return. A second principle set forth the necessity of making education “a distinct and separate pursuit and business”; that is to say, the human mind if fully developed required training in accordance with definite methods and a recognized system. The third principle may be briefly stated as the obligation of property to bear the burden of taxation for the support of public instruction. Finally, to perfect a system of education three elements were essential, namely, the “organizing, the

financial, and the educational." The first two were important only as they "affect the last"; while the first, the "organizing", is needed only in the "advancement of the other two." With this platform as a starting point the two commissioners outlined the statute which they had prepared and submitted.

In the proposed act the commissioners made provision for district, county, and State organizations as a unified system; and at the same time they made special provision for the control of the "Academic, or Polytechnic School, and the State University." From the laws of Ohio they drew the plan of the district organization and assigned to it powers similar to those in the districts of other States. But this was done, it was said, only in recognition of existing conditions; for the commissioners were firmly convinced that the township was the proper unit of the district. Indeed, they recommended the abandonment at the earliest opportunity of the district system as they found it, and suggested as a substitution the civil township. It is certain that this substitution would have been incorporated in the proposed law had the commissioners felt that local conditions would permit of a change so radical. The twelve reasons which were presented in support of this plan have been repeatedly quoted from that time to the present without fully crediting them to the original source.

By the report of the commission the office of superintendent was made a feature of the county organization. In this office was united the "financial

and visitorial power'', thus combining the duties of the fund commissioner and a supervisor of instruction and connecting the State and district organizations through a central county officer. Under the proposed law the county superintendent would have assumed control of the school lands then under the management of the State Superintendent of Public Instruction.

In this proposed system financial support was to be secured in the district through a property tax for the building and equipping of school houses, for libraries and apparatus, and for general maintenance. And to secure action in the district, property was at the same time subject to a county tax, which was not to be shared in any district unless the local school was kept in operation according to law. In planning for a county school tax the commissioners adopted a "principle" which had been followed in the State of New York for nearly forty years, according to which the county should contribute a sum equal to the amount apportioned to it from the interest on the permanent fund. Although New York had been forced to abandon this limit for a heavier tax it was thought that Iowa, if her funds were well managed, would not be brought to such an emergency.

The academic or higher instruction proposed by the commissioners was to be a county function — that is, where the population was of a certain minimum. At the same time the provisions for the State University were to remain unaltered, except for the

recommendation that the Normal Department should be supported out of the common school fund, since this department was rightfully the head of the common school system. A system of scholarships, free to the appointees on the condition that they obligate themselves to teach for a given length of time within the State, was established — a feature which the commissioners declared did not to their knowledge exist in its details in any other State. Indeed, it was stated by these gentlemen that no other Commonwealth possessed a "University so organized as to admit of it in the manner here provided."

A portion of this report, subsequently incorporated into law, made provision for the free communication of opinions and recommendations through associations and conventions. The teachers' institute, while not made compulsory, afforded an opportunity for educational leadership, since "the movement must first proceed from the teachers." The teachers themselves were to bear the expenses of the institute except in the matter of incidentals and instruction, which were to be paid for by the State. It was also proposed that the county superintendent should meet the presidents of the district boards; and similarly the State Superintendent should meet the county superintendents in convention. Likewise the "State board of education", which the proposed law appears to have included, was to be associated with the other departments.³⁹

It has seemed appropriate to give a general view

of the report of this second school commission for several reasons. First, upon its recommendations was based a fundamental law. In the second place, while the proposed bill was rejected at the session of 1856-1857, its main features, if not its exact provisions, were written into the statutes of the succeeding General Assembly. Finally, those who have since presented recommendations for legislation appear to have frequently recurred to this report, whose sole author there is every reason to believe was Mr. Horace Mann, the distinguished promoter of the common school in Massachusetts.⁴⁰

Although the bill proposed by the commissioners failed of passage in 1857, a measure of prime importance was introduced and within a period of not more than ten days secured the approval of the General Assembly. This measure was framed to meet a particular situation, but was, of course, general in its application. Briefly it may be said that the measure arose out of the necessity for a law that would authorize the organization and support of "union schools", and particularly for a school which had been organized in 1856 at Tipton in Cedar County. The principal teacher in that school, Mr. C. C. Nestlerode, had come from the State of Ohio. His part in the preparation of the measure is stated in his own words: "I commenced at once to write up a law for that purpose and my nights during December, 1856, were occupied at that work."⁴¹

There were others, it appears, who counseled with Mr. Nestlerode in this undertaking; and there

were friends in both houses ready to push the measure. Mr. S. S. Daniels, who had been a member of the board that employed Mr. Nestlerode, was now sergeant-at-arms in the Senate; Mr. J. W. Cattell was the Senator from the county of Cedar; while Mr. Ed. Wright was the member of the House from that district. The bill was sent to Mr. Daniels who placed it in the hands of Cattell and Wright. Having quickly passed both houses, it was approved on January 28, 1857.

In this connection it is interesting to observe that just as the Iowa law of 1840 was taken from the Michigan statutes of 1838, so the Iowa act of 1857 was evidently modeled upon the statutes of Ohio enacted in 1849 for the benefit of the towns of Akron and Massillon. The only changes made in the transfer seem to be due to the differences in local government.

The law provided that towns having a population of two hundred or more, with certain territory attached, might be organized as a single school district if the electors approved. Upon the acceptance of the provisions of the act it became the duty of the school board to establish an "adequate number of primary schools" in which the rudiments of an education should be taught, and in addition thereto schools of a "higher grade or grades" should be established for instruction not provided in primary schools. Full authority was granted the board to determine the grades and branches to be taught, provided no other language than English was intro-

duced without the concurrence of two-thirds of the members.

One purpose of this law was to secure financial support for the union school and the authority to levy a tax, when the electors approved, for buildings which could be constructed on borrowed funds. Should a five mill levy fail to produce sufficient support for a school of not less than thirty nor more than forty-four weeks the deficit might be collected pro rata from those in attendance — that is, a rate bill would be applicable as provided for by the act of 1853 as well as in the provisions of this law of 1857.

No other statute of Iowa contains provisions similar to those found in this act of 1857 — which is an indication of its foreign origin. For example, it mentions the admission of “apprentices” to all the privileges of the schools, and it provides for the appointment of three competent persons, citizens of the district, to act as school examiners, as well as examiners of all persons presenting themselves as teachers, to whom the committee should issue a certificate specifying what subjects the candidate was qualified to teach. With the concurrence of two members of this body such certificates could be annulled. Other duties imposed upon this subordinate supervising agency included the visitation of schools either singly, with the board of education, or with invited assistants, for the purpose of observing the progress of the schools and of making suggestions relative to improvements, all of which might be published by the board of education.⁴²

The term "union school" had two uses: first, the union of two or more districts; and, second, the uniting of the advantages of the primary or common school and the academy or seminary. As defined in Ohio in 1857 the term meant common schools united by districts for the purpose of building a house common to both which would admit of two or more departments. A man teacher was then to be employed to supervise the entire school and at the same time instruct in the higher department — the lower divisions being taught by women. Such departments might include a primary, a secondary, and a senior or grammar grade; while to these a higher school might be joined.

It is said that the first of these union schools in the State of Ohio were secured by special legislative acts providing for the consolidation of districts; but about 1857 a general law provided that areas having five hundred inhabitants might vote on the adoption of such a union institution. It was the latter act that was urged as desirable for Iowa; and with this in view it was proposed in 1857 that the law provide for the organization of the township as a union school district under a competent board of education. While it was not the intention to change the districts as then formed, it was suggested that each building, if suitable, should become a primary school. The township would be formed into four larger districts with a high school or central school in each, for which the proper building should be erected.

There were some people who favored but a single

central school in the township (all others being primary), resting their arguments upon efficiency and convenience of location. It was not a question of whether there were advantages in union schools. That point was granted, since such schools would require better teachers and better houses. Children could enter at the alphabet stage and close, it was said, "prepared to enter any college in the United States." In such schools there would be better government, a more thorough course of instruction, greater permanency in the teaching staff, and more economy in administration. Finally, it was argued that union schools would increase the value of real estate.⁴³

Such, in general, were the notions concerning union schools when in 1857 the Ohio legislation was transplanted in Iowa. Since it was for the town of Tipton that the Iowa law had been especially urged that community lost no time in accepting its provisions. But on the same day on which the union school bill was introduced in the General Assembly the convention called to revise the Constitution of the State assembled, and when its finished product was adopted later the law providing for union schools was no longer effective. Nevertheless, the school at Tipton was continued by the board until the close of the year, although many persons refused to pay the taxes levied under the act. The union school was finally voted out of existence in the spring of 1858, only to be restored again in 1859 under an act of the State Board of Education.⁴⁴

When the new Constitution was adopted in 1857 there were eighty-four organized counties in the State, but from only seventy-six were reports relative to the schools submitted by the school fund commissioners. Not only were data from counties incomplete, but rarely, if ever, did the districts return reports of their exact status. Certain facts, however, were obtained which indicated that not more than two-fifths of those of school age were enrolled during the year 1856-1857; and while there were nearly 3300 organized districts, schools had been maintained in but 2708. Furthermore, at least one hundred and forty districts had received the usual apportionment of public money without having complied with the constitutional provision which required instruction for at least three months before a district became entitled to recognition in the distribution of interest on the permanent fund. Such an error, which was pointed out by Mr. Maturin L. Fisher, then Superintendent of Public Instruction, would not have occurred had his predecessor, Mr. James D. Eads, given careful attention to the required reports and apportioned the funds under the limitations prescribed by the Constitution.

While information relative to the details of management in the local organizations was not easily obtained, it was the opinion of Superintendent Fisher that the schools were in an "unsatisfactory state". Usually, it was said, there was no examination of teachers — an incompetent person being frequently employed. Furthermore, there was little

if any attention given to visitation — that is, supervision — of schools. There was, however, some gratification in the fact that nearly \$72,000 had been voluntarily raised to support the public schools.

It soon became evident that certain advantages were obtained by the more densely populated communities under the mode of distributing funds, and this was shown through a concrete example presented by the Superintendent of Public Instruction in 1857. For comparison he selected two districts, number one and number two in Julien Township in the county of Dubuque, which served to illustrate the extremes of opportunity. The first district contained 3939 persons of school age, while the second could boast of but sixty-nine. Now it appears that about one dollar per person of school age would be available at the time of the distribution of the school fund. Accordingly, district number one would have sufficient funds to maintain schools and pay teachers for an entire year, while district number two could barely fulfill the constitutional requirement of three months. It was, therefore, but just that the money raised through county taxes should be distributed equally among the districts.

As early as 1857 it was discovered that the educational advantages offered by the town or city were constantly attracting men of wealth from the country who were desirous of educating their children. Superintendent Fisher, a man of opinions, declared that this should not be tolerated in an agricultural State, since "it is as much for the interests of the

city of Dubuque, that a child in district No. 2, Julien township, should be [as] well educated, as a child in No. 1, in the same township — yet the State gives the latter a four-fold advantage over the former. And this is done, not by a law, which may be repealed, but by the constitution.’’⁴⁵

In this connection it is well to bear in mind the fact that while the public school was legally recognized and provision was made for its development during these early years, it was paralleled by private schools of various kinds and of varying degrees of efficiency. It may be said that as the public school increased in popularity and efficiency the private school decreased proportionately until, following the complete organization of a school system, it practically ceased to exist.

Just previous to the adoption of the new Constitution the public was reminded of the truth that the State of Iowa was abundantly able to furnish the fullest opportunity for a free education, provided the means were judiciously managed. And schools could be maintained not for three months — the lowest constitutional term — but for six or eight months every year. The great problem was how to expend the available funds to the best advantage. The solution of this problem would without doubt provide for a general school system — in other words the public schools would constitute the only schools of the State. In 1857 it was claimed by men who were actively engaged in conducting Iowa schools that the best teaching talent was employed in the

private schools for the benefit of the wealthier classes who could afford such "luxuries". It appears that often before any effort was made to establish a public institution for all the people, an academy or seminary was established which, being wholly dependent upon private support, was not for the masses. Under such a situation the community was divided into two factions, with the result that support for the public school could not be secured in all instances; for there is evidence that in certain quarters it was considered rather aristocratic to be a student in a private institution.⁴⁶

Such aristocratic tendencies were declared to be obnoxious, and the right to tax property for the support of public schools was stoutly maintained — although argument was produced against it. That all children possessed the right to a free education could not be denied, and that a practical education was desirable above any other was not easily opposed; but the most effective argument employed fifty years ago in favor of the free public school was its economy as compared with the private institution.⁴⁷

Prior to the legislation of 1857 there were several agencies which were instrumental in bringing about the enactment of a new school law. Among these influences the appointment and the report of the commission recommended by Governor Grimes has already been mentioned. Of scarcely less importance was the establishment as early as 1854 of a local school journal, which soon gave way to another

publication which was either under private management or under the control and patronage of the recently organized State Teachers' Institute or Association — an organization which held its first sessions in 1854 and assumed the entire responsibility of issuing a journal in 1859. Before that time, however, the organization had used the existing publication as the exponent of its opinions and recommendations. Thus the State Teachers' Association became actively engaged in propagating an educational doctrine which combined the best features of the systems with which its members were familiar. A remarkable group of men, it may be said, were determined during this period to bring about reforms in the existing indefinite system of schools. All these influential elements were at work when the new Constitution received the approval of the people in 1857.

By the provisions of the Constitution of 1857 the power of enacting legislation relative to education was lodged in a State Board of Education. The interesting and instructive debate which occupied the attention of the convention before the acceptance of this provision can not be considered in this place, but it is necessary to point out the situation in which the Constitution placed the school statutes in force at that time. It is clear that no legislation by the new board could be enacted until it was organized — which, according to constitutional requirements, should occur on the first Monday in December following the election of its members. But no election

could occur until the General Assembly should provide therefor at its first session after the adoption of the new Constitution. Thus it was evident that no session of the Board of Education would be held until December, 1858.⁴⁸

When the Seventh General Assembly met in 1858 only two courses of procedure were open: the laws then on the statute books could be left untouched until the Board of Education was organized; or the General Assembly could enact a law which the new Board of Education would probably approve when organized in December. By many it was considered unwise to delay the enactment of a new law until the constitutional provision relative to the Board of Education should become effective. Moreover, in his second biennial message Governor Grimes called the attention of the General Assembly to the proposed revision of the school laws by Horace Mann and Amos Dean which had been submitted at the previous session. The Governor declared that "the report was acceptable to a large majority of the members" and that the proposed legislation failed of passage through no fault of the bill itself. Besides it was known that the new Constitution had removed the "obstacles" which had then existed, so that there appeared to be no valid reason why the bill should not now be enacted into law.⁴⁹

With the pressure thus brought to bear upon its members the General Assembly of 1858 passed the general law for public instruction which will be referred to as the law of March 12, 1858. A study of

this act reveals its similarity to the Mann commission report and discloses its identity as the fundamental act in the school system of this State.

It appears that under the law of 1857, which applied to towns and adjacent territory, a "free school" education was thought to be available. This may properly be inferred from the contents of the first annual report of the board of education for the city of Dubuque, issued in the spring of 1857, the year previous to the inauguration of the new system. It was said in this report that "much has already been done, and our first earnest effort for Free Schools will soon be crowned with success; but much more remains to be done before we shall realize the great and good results that will flow onward and still onward in the moral and intellectual elevation of the children in our city as the result of these Free Public Schools."

That such an institution was not wholly approved appears to have been true also, since the opinion was ventured that "the prejudices against 'free' or 'public' schools which have arisen in the minds of many warm friends and supporters of education under other regulations, will disappear when they see that a Free Public School can be governed and pervaded by moral and ennobling influences." It was definitely pointed out that this "the first year of our Free School education" required careful co-operation between officers, teachers, and citizens; and it was claimed that the city had then "the best Free School buildings in the State"—one of which had

already been completed, while a second was well toward completion, the first alone accommodating nearly eight hundred pupils.⁵⁰

Thus, the free school was almost a reality before the enactment of the law providing for the township system with county supervision and sufficient financial support to make "rate bills" no longer necessary. To what extent this result had grown out of the influence of movements in other States it is impossible to determine; but it is well known that the agitation for general elementary education was not confined to Iowa.

IV

ESTABLISHMENT OF A FREE SCHOOL SYSTEM

At the first session of the General Assembly under the present Constitution, there was introduced in the Senate on January 22, 1858, a bill for the "Public Instruction of the State of Iowa". The measure was presented by Mr. Josiah B. Grinnell, chairman of the standing committee on schools, and copies were ordered printed for the benefit of the members. For this bill a substitute was offered and its passage recommended by the committee on schools on February 17th. After certain amendments were made by the Senate the bill was passed on March 3, 1858, by a vote of nineteen to thirteen. Later it was passed by the House without amendment; and on March 12th it received the approval of the Governor.⁵¹ Such, in brief, is the legislative history of the act which aimed to make provision for all phases and departments of education from the elementary school to the University.

By this act of 1858 the civil township was made the school district; while incorporated towns possessing a population of not less than one thousand were privileged to become independent divisions under an organization with like powers. The ele-

mentary school, which by the terms of this act was provided for the instruction of all persons between five and twenty-one years of age, must continue for not less than sixteen weeks in order to be entitled to its proportionate share of school money. That these provisions might be fully carried out, explicit directions were incorporated in the act for the organization of the township as a district, and for the reorganization of the districts then existing which by virtue of this law became subdistricts of the corporate body including them. That is to say, at this particular time the subdistrict was established although the opinion of the very best informed educators was clearly in favor of the undivided township as the school district.

The new law aimed to give to the electors of the township power to provide elementary schools which should be wholly free, and to determine for themselves whether higher education should be offered or to delegate all their powers relative to instruction and management to their representatives, the district board of directors, which under this act was composed of a president, a vice-president, and a secretary, with one member from each subdistrict. One other officer, the treasurer, was required in the administration of the business of the district — this being always understood as the area coextensive with the boundaries of the civil township.

In the reorganization of the existing districts it devolved upon the secretary to summon the electors to choose the subdirector, who then became respon-

sible for the adjustment of the affairs of the district in passing from the old to the new organization. Thereafter the duties of the secretary were such as the board might define — provided in general that the material equipment should be subject to his care and supervision.

The county tax for school support was declared to be limited to “not less than one mill, nor more than two and a half mills”; but the plan of distribution was so arranged that while one-half the amount raised by such taxation was apportioned equally among the districts according to number, the remaining one-half, along with the interest on the permanent fund and all other money which by law was applied to such purpose, was to be apportioned as before, according to the number of persons of school age.

The act of 1858 provided, for the first time, that a supervising officer should be elected in each county. That is to say, provision was made for a county superintendent who should have authority to examine teachers and direct instruction, having no duties that corresponded to those of the school fund commissioner who was succeeded by the regular “financial agents” of the county under the provisions of the new Constitution. Moreover, the county superintendent with the presidents of the several district boards constituted the county board of education, which was required by law not only to meet in regular sessions but also to preserve a record of its proceedings. This body was authorized

to consider the subjects that should be introduced into the schools of the county, the methods of teaching, the government of the schools, and the books for texts and for libraries, as well as what apparatus and furniture would be desirable for use in the schools. On the principle that the men who held the office of president of the district board would be not only willing but desirous of serving the community, no compensation was provided, but their actual expenses were allowed from the county treasury.

It was this board of district presidents that was empowered by the law to establish a high school in the county and to select a board of nine trustees for its management. These trustees were required to organize with the usual officers and to make all needful regulations for carrying out the provisions of the law by supplying buildings and equipment, providing a course of study, selecting teachers, and indeed doing whatever was necessary to the establishment of a fully equipped high school.

In the provisions of the law of 1858 the county high school was an essential feature. It had been recommended by the commission of 1856, but only for counties having a certain population. Under the new law, however, "any county" might proceed to establish a high school, and the county treasury in such instances must provide \$3000 annually for six years and \$1000 annually thereafter for its maintenance. Moreover, the county judge, then at the head of county affairs, was instructed to borrow funds to hasten the construction of buildings in counties establishing such schools.

A plan for scholarships which should provide that encouragement for advanced training which was clearly contemplated in the Mann commission report was also incorporated in this act. According to this system scholars were to be selected from the several districts in the county maintaining a high school. These selected scholars, who were to be at least fifteen years of age, were to be trained free of charge in the county high school and were to receive at the end of each year for three years fifty dollars, provided they ranked among the first half of the class. Or the same opportunities could be offered to a scholar "at any other literary institution established in this State", provided the county superintendent consented to such an arrangement. Such scholars (men and women chosen alternately) were obligated to teach in the common schools of the county a term equal to that during which they had enjoyed the benefits of the scholarships, and from the compensation at the end of each year of this term the fifty dollars which had been advanced should be deducted. Or such scholars might refuse to teach and refund the money, which, on refusal, could be recovered by the county treasurer.

By a similar provision "for training and educating young men to become Professors in the High Schools" a definite number of scholarships were established at the State University. These scholarships were to be distributed, under the direction of the Superintendent of Public Instruction, among the high schools of the State. Not more than four, how-

ever, should be assigned to any one institution. In this system of higher scholarships it will be noted that there was no provision for women scholars. In the selection of University scholars, moreover, the trustees and high school faculty were to take into consideration the "behavior, scholarship, attainments and capacity to teach" of persons not under sixteen years of age. Those appointed to scholarships were to receive from the State treasury an allowance of seventy-five dollars annually for a period of three years. Provisions relative to the return of these allowances were made similar to those provided in the case of county scholarships.

The final sections of the act of 1858 made provision for the State University, confirming the title of that institution to the Old Stone Capitol at Iowa City and to the ten acres upon which it was situated on condition that they be used for University purposes.

It appears from these provisions, and from others not fully discussed in this connection, that the act of 1858 was substantially the bill submitted to the General Assembly in 1857 by the Mann commission. The measure became a law by approval on March 12, 1858; and by its provisions "all acts and parts of acts" which before constituted the school laws of this State (excepting, to be sure, those relative to the school funds) were repealed. The new law became effective by publication after March 20, 1858, and was accepted, it seems, almost at once and put into operation.⁵²

In April, 1858, elections occurred under this law, and the first county superintendents were then chosen. In May following the election, Mr. William Y. Lovell, superintendent of schools for Dubuque County, issued a circular containing the new school law and the proceedings of the county board of directors, or board of education, during its first session held on May 20, 1858. At this meeting, it appears that only one of the eighteen townships was without representation. The first item of business presented at this meeting was the consideration of the provisions of the law relative to the county high school, a committee having been appointed on that subject. There were other committees on the qualification of teachers, on "branches of learning", on methods and government, on libraries, and on apparatus. Certain demands involving the settlement of property ownership between a district under the new act and the old organization were presented and satisfactorily disposed of — although the problem was one which was not fully settled for many years.

When the question of a county high school came up for action some difference of opinion was expressed — the committee favoring immediate establishment, while others proposed a postponement for one year. After some consideration the board decided to select the nine trustees as the law required. Naturally requests for the location of the new high school were numerous, but the city of Dubuque won over the smaller communities in the county.

On June 3, 1858, the trustees appointed to estab-

lish a county high school met in regular session at the call of the county superintendent who instructed them in the law relative to their duties. Officers were duly chosen and the members were classified as the law specified. It was then the privilege of the new board to attack the jurisdiction of the county board in the matter of locating the county high school, it being considered by some that this was a prerogative of the trustees. This, to be sure, was a question of interpretation which, it appears, never required an answer owing to the action of the State Board of Education.

It was at this first session of the trustees in Dubuque County that the county superintendent cautioned them against too hasty action on matters looking toward the establishment of the county high school. Whereupon the offer of the city of Dubuque to permit the free use of one of the public school buildings, provided the location was made permanent, was repeated. The question of jurisdiction having been raised, it was proposed to await the decision of the county board, thus deferring final action until a subsequent meeting. The record indicates that while it was designed that the county board should meet at the same time as the trustees no quorum of that body was present; and so, further discussion of the high school matter was postponed. At the same time instructions were left with the secretary to secure proposals from towns or individuals in the county relative to the location of the proposed institution.⁵³

Thus the law of 1858 was observed in at least one county with definite action looking toward the carrying out of its most important provisions for supervision and for higher instruction. And there is evidence that other counties undertook to do as much as was done in Dubuque. For instance, a partially constructed building projected for a college at Iowa City was considered as suitable for a county high school by the board of county presidents in August, 1858.⁵⁴ Furthermore, there are records available which show the proceedings of a township in passing from the old to the new organization after the election for school officers had been held.

It was on May 15, 1858, that the first meeting of the board for Iowa City Township occurred, with Mr. Samuel J. Kirkwood as a member from district number three. This was an all-day session, at which the entire township was redistricted under the direction of the board after a committee appointed to investigate had reported such action as advisable. Ten districts were established with as many directors who, together with the three elected officers for which the law provided, constituted a board of thirteen members. At the very outset the board, taking advantage of the clause in the law permitting such action, empowered the subdirectors to hire and contract with teachers for a term not to exceed four months, which was the legal minimum. Three meetings of this board were held in May, 1858, for the purpose of setting in motion the machinery made necessary by the new statute. It is significant that

on May 15th action was taken on the appointment of a special committee to ascertain the rate of taxation necessary to be levied in order to maintain a school in each subdistrict for a period of eight months each year.⁵⁵

The acts of county and township boards described above had taken place, elections had been held, and taxes had been voted in the spring of 1858; indeed many changes were commenced and in part completed under the law of March 12th, when by a decision of the Supreme Court in December of that year the statute, except that portion relating to revenue, was declared unconstitutional. The General Assembly, it was held, had no primary power under the Constitution to pass laws providing for public instruction "until the Board of Education was elected and organized." The suit arose in Dubuque County where the validity of the law was upheld by the district court. But this decision of the lower court was reversed upon appeal to the Supreme Court.⁵⁶

Upon the organization of the State Board of Education under the provisions of the new Constitution a law was passed by that body legalizing "acts and contracts" under the statute of March 12, 1858. In subsequent acts the Board legislated some of the features of the plan of 1858 out of existence by omitting the sections relative to the county high schools and scholarships and substituting other provisions of importance which will be discussed in later chapters. It may be mentioned in this connection,

however, that the Board restored in substance the law of 1857 providing for the organization of towns and adjacent territory as separate districts. This act extended the possibility of school organization to any city or incorporated town, whereas the law of March 12th required a minimum population of one thousand to admit of such organization.⁵⁷

When the State Board of Education assumed the duties assigned to it under the Constitution it appears that the Superintendent of Public Instruction was succeeded by the regularly elected Secretary of that body. The first report issued by this officer called attention to the embarrassment which arose owing to the adverse decision of the Supreme Court; at the same time he conveyed the information that the people were disposed to make the best of the situation until the legislation of the Board corrected the error.

That some who might have taken advantage of the decision of the Supreme Court by questioning the payment of taxes levied in 1858 under the act of the General Assembly did not do so through local interest in the public school is clearly illustrated in an item from Black Hawk County which appeared in the Secretary's report. In that county, it appears, many townships had voted a school house tax in the spring and fall of 1858; but before such taxes were collectible it was well known that the law had been declared unconstitutional. Nevertheless, the people, being desirous of possessing good buildings, paid these taxes without complaint, and during the fol-

lowing year fifteen school buildings were erected. It was said further that under the free school system the schools of Black Hawk County had increased at least one hundred per cent in numbers and in attendance.

A similar report was submitted from Shelby County where it was said that in 1857 no school had been taught in Round Township. But immediately following the enactment of the free school law the township was divided into seven subdistricts, and in a brief time seven school houses were under contract for construction. At the same time it was affirmed that there was sufficient cash in the treasury to pay seven teachers — all of which was declared to be the result of the “happy working” of the existing school system.

It was asserted in the same report that the schools of Davenport had never assumed “definite shape” previous to the adoption of the new law. But following that event — probably within a year — the schools were graded and efficient teachers were employed.⁵⁸

Since by the change in organization the information from counties was conveyed to the Superintendent of Public Instruction or to the Secretary of the State Board of Education through the recently created office of county superintendent, it was possible to know almost at once the effects of the new law which required certain definite information to be filed with the State department. At the time this law went into operation there were eighty-six organ-

ized counties, not one of which failed to submit the report required at the end of the first biennial period. It is true that the data supplied were not conclusive as to actual conditions in all communities, owing to the fact that the district officials were not familiar with all of the legal details. It is significant, however, that there were 932 district townships with over 4000 subdistricts operating under the law in 1859 — an increase of nearly 850 districts since its enactment. This, moreover, was the situation at a time when frequent reference was made to the prevailing financial distress through which the State was then passing.

Certain facts relative to the actual operations of these school organizations which are available show that while there were about 240,000 persons of school age, not more than 143,000 were enrolled, and the average attendance was but 80,000. To instruct this number about 5000 teachers were employed, to whom an average wage of six dollars and ninety-two cents a week for men and four dollars and twenty-nine cents for women was paid. Over 800 log school houses were in use at that time; and out of a total of about 4200 schools more than 1600 were taught in rented houses.⁵⁹

Opinions which were recorded in 1859 seem to indicate that the school law then in force was accepted generally among thinking men as having been constructed on right principles. Just previous to the second meeting of the State Board of Education expressions that were given in published articles

were decidedly against any fundamental change in the law. Indeed, it was declared that the act was becoming popular, just in proportion as it was being "understood and put into effective operation." Apparently there had been a great increase of interest in public education as well as a "marked advance in the qualifications of teachers". Furthermore, the support of common schools by a system of direct taxation was accepted as satisfactory both in principle and in practice.⁶⁰

The second meeting of the State Board of Education occurred in December, 1859, when minor amendments were made to the law enacted at the first meeting. The most radical of these amendments was in the provision relative to the organization of the district township. At the election, which was held in 1858, the electors had been empowered to choose a president, a vice-president, and a secretary, who were members of the board, and also a treasurer. After 1859 it was provided that the subdirectors should compose the board and choose a president and treasurer from their own number, while the township clerk should become *ex officio* not only their secretary but also, in the absence of the president, the presiding officer. He was, however, prohibited from voting except in instances of a tie vote. Thus the clerk was restored to a position similar to that which he held under the inspectors from 1840 to 1849.⁶¹

It was about this time that Governor Ralph P. Lowe was preparing his message to the Eighth

General Assembly, wherein he expressed his opinion of the school law of 1858, which, after the reënactment of most of its provisions, had become effective on March 1, 1859. The Governor observed that while there had been some objections to the law it had been generally satisfactory, having been as successfully administered as one could expect in passing from customs which were familiar to a system materially different. It was believed that the amendments made by the Board at their second session would "remove all valid objections."

While recognizing the authority of the General Assembly, the Governor cautioned that body in regard to their actions concerning the subject of education. At the same time it was important that the school laws should have attention early in the session so that they might be distributed before the spring elections not alone to school officers but to the head of every family. Indeed, more people were vitally interested in the success of such laws than in any other legislation.⁶²

By constitutional provision the General Assembly was empowered to alter or amend any act of the State Board of Education; and so in 1860 that portion of the law by which any incorporated town with attached territory could become a separate district was extended to towns not incorporated and having not less than three hundred population. Other minor amendments were made at the session of the General Assembly in 1860; but not until 1862 was a general consolidation of the laws enacted. In the meantime

the school authorities in the districts organized under the act of 1858 were endeavoring to comply with its provisions as well as with the enactments of the State Board of Education and the General Assembly, since both were recognized as legislative bodies whose acts affected the school system at every point.

The county superintendent was at first authorized to visit the schools of his county, and thereby he was enabled to obtain first-hand information relative to the popular feeling toward the school law in operation. But in 1859 this visitorial power was taken from the county superintendent by the Board of Education, thus lessening his opportunity for effective service. It was, however, through that officer that facts relative to the actual situation in different parts of the State were obtainable; and for many years after 1859 the abstracts from the reports of the county superintendents are indicative of the progress in school efficiency.

In the summer of 1859 it appears that Bremer County had about thirty schools; while not less than fifty were fully organized during the following winter. The first report from this county declared that nine-tenths of the people would prefer the old organization. But the county superintendent in 1860 was of the opposite opinion; nor was he certain that the minor amendments of the Board enacted at their second session had bettered the law.⁶³

In Clarke County in 1860 all of the districts which were able to secure the necessary buildings provided

for the operation of schools for the full legal time — that is, twenty-four weeks, according to the regulations of the State Board of Education made in 1859. A commendable feature of the situation in this county was the recognition of the equality of men and women teachers in winter as well as in summer schools. While the wages were considered “very fair for these times”, they varied from twelve to thirty dollars per month. It was asserted also that there were few “School-killers” in that county, thus conveying the impression that the free public school had won almost unanimous approval. A similar feeling seemed to prevail in Hardin County; while from Benton the declaration was positive that “our present school system is giving universal satisfaction” and the people had come to understand that it was much cheaper and more efficient than the old system — “if such it could have been called.”⁶⁴

Not all communities were as yet satisfied that economy was greater under the new legislation. The city of Davenport at this date consisted of a single district under an organization of three “departments”, consisting of six district schools, two grammar schools, and one intermediate school which was developing into a high school. While the term “high school” had not at the time been applied, it was said that the course of study was to be increased each year as pupils from the grammar schools were prepared for the high school. It may be well in passing to cite the organization of schools in Daven-

port as the result of supervision by a recognized head of the school system in a city — an uncommon arrangement in 1860. But the Davenport plan notwithstanding its apparent effectiveness was not wholly approved, for there is evidence that in 1861 the “School-killers” made an effort to overthrow the system on the plea of extravagance. When, however, the district treasurer read his report at the annual meeting, and it was learned that the tuition was less than six dollars per year, the nominees on the ticket opposed to the new law arose and withdrew their names. Thus again the evidence of material gain disarmed the opposition.⁶⁵

It was about this time that the schools of Keokuk were closed at the end of the fifth month on account of financial matters, the teachers thereafter undertaking private work to maintain themselves. It appears that while these schools were well established a burden of debt for the previous two years made it necessary to run on short time until credit and cash were available for a term of nine or ten months.⁶⁶

The city of Burlington appears to have been highly favored with educational institutions at the beginning of the year 1861; for in this district there were three public schools and at least six select schools all managed by women, besides schools for Lutherans and Catholics, Burlington University, and Elliott Seminary.⁶⁷ Among the inland towns Washington was said to be greatly in need of a school house; while in Sigourney there were no regulated

public schools. The former town had a population of about two thousand, but it appears that the people were not yet convinced that free schools were the cheapest and the best. Oskaloosa, located still farther to the west, had a number of schools, but these were not united in a public effort and it was said that those in charge of the public schools were greatly crippled in their labors.⁶⁸

The rural communities in some sections were setting an example for those possessing greater facilities and opportunities. For instance, the township of Grandview in Louisa County had four hundred pupils in eight schools, including that of the village with three departments — a union school with a principal and two assistants. At the same time the rural district of West Bethel in Cedar County provided for two departments and had under consideration the construction of a suitable building. Again, Black Hawk Township in Jefferson County held an annual public examination of the schools interested in a joint session, which continued for three days at a central point in the district and was attended not only by pupils but by patrons as well, the whole being under the direction of the county superintendent.⁶⁹

These facts are suggestive of the conditions in the State when the second report of the Secretary of the State Board of Education was issued in December, 1861. There are few now who can fully appreciate the Secretary's regret when he wrote that while the school system had "partially over-

come the inconveniences and obstacles to which it had been subject, by the unconstitutionality of the act of March 12th, 1858", and while there was good "reason to believe that the day of our calamity was past", it was shown that the State had "only escaped the paralyzing influences of injudicious legislation and financial embarrassment, to encounter the more fearful consequences of civil war, which is now prostrating all of the great productive interests of the country."

Under such circumstances it appeared to the Secretary to be highly gratifying to know that the people had not failed to place a true value upon the "system of public instruction" and had felt the necessity of supporting the schools. Notwithstanding the adverse conditions it was assumed that some progress had been made in instruction. Indeed, it was thought that the improvement in the construction of buildings was indicative of progress, for now they were "mostly frame, constructed with a good deal of taste, seated in modern style, thoroughly painted, and the number of the district legibly inscribed over the main entrance." Moreover, in the more populous regions of the State some districts had even ventured to construct school buildings of brick; and it was considered noteworthy that the frontier communities had often secured fine furniture from Cincinnati or St. Louis.

In its effect upon the schools the great civil struggle just opening attracted the attention of the Secretary, and from his observations made on jour-

neyings over the State he was able to speak with authority. At that time he concluded that while there was abundant reason for believing that the school system was firmly established and that the people would not fail in the emergency, a crisis was on and the outcome was in some measure uncertain. Illustrating his impressions of the peculiar situation and of the manner in which it was met, he cited several examples, including the town of Toledo which had been incorporated but a few years and in 1854 reported only 168 persons of school age. Now in 1861 this town had enrolled one full company of volunteers, and a second was preparing to enlist; while only a "few squares distant" mechanics were occupied in completing a two-story brick school building. At Mount Pleasant "the streets were thronged with soldiers"; while not less than seven hundred and fifty children, it was said, were "quietly pursuing their studies". At Bloomfield, and at Clarinda, not far from the "scene of conflict", there was manifested a great interest in educational progress and an appreciation of that which appeared to be most lasting.⁷⁰

Although such impressions suggest an encouraging state of affairs in a large part of the Commonwealth, there were, nevertheless, localities which by prestige and ability ought to have assumed leadership but which held to old ways and retained the log houses of former days, thus allowing themselves to be outdone by the newer settlements on the frontier. This, however, is but another illustration of the

commonly observed truth that conservatism prevails in the oldest communities.

During the same month (December, 1861) the third and the final meeting of the State Board of Education was held for the constitutional limit of twenty days. No fundamental changes were made in the school law, but minor acts were passed relative to institutes, school journals, county superintendents, a department of military instruction at the State University, the government and regulation of the State University, the teaching of German or other languages in the common schools, and a State Board of Examiners. The discussions on these topics, which are of interest in showing the attitude of men at that time, will be presented in a later chapter.⁷¹

In 1862 the General Assembly amended the act of the State Board of Education, which had been approved on December 24, 1859, and consolidated not less than nine separate laws of the Board, either by eliminating or by amending certain portions without making fundamental changes in organization. The tax levy for support was reduced from ten to five mills (but restored again in 1866), while that for school houses was raised from five to ten mills. Where townships constituted but one sub-district it was provided that there should be three directors, and where townships constituted two sub-districts there was to be one director from each district and one at large. Funds were to be classified thereafter as "school house", as "teachers", and as

“contingent”. At the same time a slight modification was made in the powers of the president of the board by permitting him to vote only as a member. There were other minor changes, but all indicate an endeavor to correct the oversights of former legislation rather than to disturb existing conditions.⁷²

An official called a “State Agent”, employed by the State Teachers’ Association and authorized by that body to conduct institutes and lecture in the interests of education throughout the State, made the observation in 1862 that the great need of the Commonwealth was for public schools organized on the graded system. While it was granted that there were a few schools of that description — to which the public seemed to “point with pride and hope” and the influence of which was felt in some measure — it was still true, that little had been accomplished in this direction throughout the State as a whole. It was therefore suggested that the school buildings which were being erected in such great numbers be carefully designed with a view to saving reconstruction in the near future. Among a number of schools which were commended for progress in developing a thoroughly graded “system” that of Cedar Rapids (then under the direction of Mr. Frederick Humphrey who was formerly connected with the State University) was mentioned. A three-story building containing two rooms on each floor was considered “commodious” in this community. In the same connection the town of Washington was commended

for having adopted the "system of *gradation*" which appears to have been promoted by the principal, Mr. Samuel B. McLane.⁷³

Owing to the misuse of the terms there was at this time considerable confusion as to the meaning of a graded school. Classes, grades, and departments were so hopelessly mixed, it seems, that it became necessary to put into circulation an explanation which would serve to enlighten the public as well as direct those who were immediately concerned with organizations. Attention was called to the first graded schools, which, it was asserted, were in reality the colleges wherein a given course was sectioned for the four years of consecutive study. In the public school, however, it had become quite common to confound the term "grade" with either "class" or "department" or both; and while such inexactness might not cause any considerable inconvenience to those who fully understood, it was unfortunate since the public might obtain a false impression of the real meaning of the word. It was even doubted whether there were ten men in the State who could answer the question as to whether there were any graded schools in Iowa.⁷⁴

Although there were signs of better things, as the agitation for the graded school indicated, the old ways were yet conspicuous and apparently would remain for many years to come. A single instance will illustrate the situation in many parts of the Commonwealth in 1862. A teacher, writing confidentially, described his entering upon a four months'

term under "unfavorable circumstances". The school had been recommended as a hard one. He was himself a stranger to the community. The building to which he was directed was "old and made of hewn logs, consisting of but one apartment about twenty feet square", and furnished after the "good old way, one end of each desk fastened to the wall, and each long enough to contain six boys if it were necessary." The house itself was almost doorless; and the teacher possessed no desk, making it necessary for him to ask the subdirector to find the material which he fashioned into a door and a desk. These with other pieces of apparatus, supplied through his own workmanship, aided the schoolmaster in overcoming the "unfavorable circumstances".

But even under such conditions the teacher referred to set out to classify his school, which possessed such a conglomeration of text-books as could be duplicated only in some wholesale house. To secure the coöperation of pupils and patrons required the greatest of ingenuity and patience. He even had the temerity to introduce singing, which seemed to be the "very thing" the children wanted; and he ventured to use illustrative material from common phenomena as a means of shocking the intellect into activity. There in the mean surroundings of a log hut, which had been made habitable by his own hands, this pioneer teacher put into execution some of the most fundamental principles of a liberal education, endeavoring at the same time to

govern without the rod — which, notwithstanding his desire, could not be wholly dispensed with.

From the personal observations of the Secretary of the State Board of Education in August, 1862, one may learn something of the discouraging outlook as the responsibilities brought on by the war increased. It was not only difficult to collect the school taxes, but the officers responsible for the management of affairs were themselves often directly engaged in preparing for active enlistment or were recruiting companies. From Lee County northward all the schools, it was said, were suffering from the difficulties connected with collecting the school revenue; and when the Secretary called at the office of the county superintendent of Johnson County, Mr. D. J. Davis, he was found absent, being “engaged in raising a company of volunteers”.⁷⁵

Then far to the northwest in the frontier settlements schools were suspended as a result of Indian depredations, on account of which hundreds of families had abandoned their homes. The superintendent of schools in Emmett County, Mr. Amos A. Pingrey, declared that during the period to which reference is made every school officer but one in the county either moved away or enlisted. In the meantime the soldiers had taken possession of the school houses, thus temporarily preventing their use for the purposes for which they had been constructed.⁷⁶

For the biennial period ending in 1863 the report for the department of public instruction consisted of three distinct contributions made by different

individuals. Mr. Thomas H. Benton, Jr., who was then in active military service, made his report from the field. He had been succeeded temporarily by Mr. H. A. Wiltse. The Acting Secretary of the Board of Education was Mr. Oran Faville, who later was appointed Superintendent of Public Instruction. Mr. Faville, it will be seen, completed the duties of the Secretary of the State Board of Education as a distinct organization. Each of these officers, either elected or appointed to a vacancy, made valuable suggestions in this report of 1863. While a large part of the discussion of special topics will be presented in a later chapter, it may be noted in this connection that Secretary Benton made no effort to summarize the progress in education but contented himself with "general remarks and suggestions", mainly along the line of legislation and the conflict that seemed to exist between the authority of the General Assembly and the State Board of Education. He called attention to the fact that the time had come when the Board could be eliminated by constitutional provision. And so the recommendations made by Mr. Benton bore upon the course which should be taken following the restoration of the General Assembly to full control over educational matters.⁷⁷

Acting Secretary Oran Faville made some observations on the interest taken in and the agitation relative to a compulsory school attendance act, which the friends of education were urging upon the General Assembly. He was of the opinion,

however, that before such legislation was even requested, a greater effort should be made to secure the desired attendance by making the school so attractive that none would choose to send their children to private in preference to public schools. If, after making these public institutions as attractive as possible, it should be found that some pupils and parents were still delinquent then it would be advisable to compel attendance, although voluntary attendance was preferable.⁷⁸

In 1863 for the first time the demand for teachers in some of the western and southern counties was greater than the supply—a condition brought about by the enlistment of young men who were accustomed to teach during the winter months. It was in 1862 that the number of women teachers first exceeded the number of men. Indeed, the loss of men from the ranks of teachers began when they were needed to fill up the ranks of Iowa regiments. Nor has the relative number of men and women who engaged in teaching before the war been restored at any time since its close.

Again the year 1863 is notable for what was probably the first direct effort to obtain information as to the actual methods of instruction and the systematic following of courses of study in the State. When Mr. H. A. Wiltse was Acting Secretary of the Board of Education in the absence of Mr. Thomas H. Benton, Jr., he undertook a general survey of the schools relative to these facts, requesting county superintendents to make a personal investi-

gation in their respective counties. Furthermore, he prepared for the use of rural schools an outlined graded course which should be completed in six years of eight months each.

Although the request for information was reasonable and the plan as a whole was altogether worthy, when one considers the real status of the office of county superintendents at the time the response was what could have been expected. The collection of information by the county superintendents would have been a voluntary service without compensation and without support from the constituted authorities. Nevertheless, from the meagre data obtained the Acting Secretary declared that he learned enough to conclude that there was really no educational system in the State. Instruction was "purely accidental", and there was rarely a "fixed course of study". No consideration was given to the arrangement of studies in the order of intellectual development; nor was there any limit fixed to the number of classes. Pupils were permitted, with the consent of parents, to take or omit subjects as they desired. Altogether there was no possible way of determining the efficiency of the teacher or the actual progress of the pupils. In view of these facts it was recommended that instruction be systematized by law.

In spite of the lack of authority vested in the county superintendent, some parts of the State reported an attempt to follow the proposed outlined course, while others pronounced it impossible, and still others demanded more "law" to make it

effective. Again the great variety of text-books as well as the lack of supervision worked against the success of the effort. As to the actual endeavors made, it may be mentioned that in Chickasaw County all schools but one were graded according to the instructions. Cherokee County had complied with the request; while Cedar County had at least thirty schools following the suggested plan. From Delaware County, however, the news was not so favorable, the only school having a graded system being in the town of Manchester. While the schools of Delhi were apparently desirous of undertaking the course, the teachers had been "prohibited from enforcing the system, as being erroneous in theory, and impossible in practice." The superintendent of Des Moines County, Mr. William Harper, declared that the proposed plan was impracticable without some preparatory instruction for teachers and more complete records; and so, to these matters he directed his attention. While the plan proposed for the entire State was thus being tried out, the schools of Burlington were being organized on a system recommended by Superintendent Wells of the Chicago schools.⁷⁹

It is apparent that the machinery necessary to carry into effect a system of grading throughout the rural districts was incomplete when this proposition was made. That this was the case is sufficiently evidenced by the fact that county supervision depended almost exclusively upon the will of the new governing body of the county — the board of supervisors —

which was then a rather unwieldy organization. Indeed, there was no certainty of what the school officer could accomplish until the votes of the supervisors were counted. Thus, the effort of the Acting Secretary of the State Board of Education, however well intended, was somewhat premature and could not result in definite progress.

With this summary of the three Secretaries, who contributed something to the knowledge of the educational history of the State during the years of the Civil War, the record of the State Board of Education ends; for by an act of the General Assembly in 1864 it was abolished and the office of Superintendent of Public Instruction was restored.⁸⁰

V

THE PRACTICAL APPLICATION OF EDUCATIONAL THEORIES

DURING the years of the Civil War the Governor of the State appears to have given but little attention to the subject of education. Either an absorbing interest in matters of National concern or satisfaction with the administration of the laws already in force must be given as a reason for the lack of recommendations in the messages of Governor Samuel J. Kirkwood. The latter explanation seems to be the more reasonable from the evidence which appears in later documents.

From the items which from time to time appeared in the only school journal published in the State, it is possible to obtain the opinions generally held relative to the effectiveness of the school organization at the close of the war period. While all parts of the State may not be represented in these items, enough is on record to enable one to estimate approximately the conditions then existing. For instance, one writer says "I should be ashamed for my county to state the whole truth; but I can say truly that we have made much progress within the past year [1866]. Many districts show a deep interest in their schools and in the construction of school houses.

Busy farmers have left their work and traveled a dozen miles to consult with me about seating school houses. The demand for good teachers is greater than ever before."⁸¹

There were many educational problems which were yet unsolved. The question of certificates, of wages, of institutes, of supervision, of text-books, and of grading were to become matters not only of interest but of critical attention. As has been pointed out, the county superintendent was not granted much authority, for while he was charged with certain duties relative to examinations his opportunity to learn of the work in his own county depended now upon the action of the county board of supervisors. Under these conditions the practice may have differed widely even in adjoining counties. There were many recommendations for improvement in this branch of the school system, wherein it was clearly shown that no one man could effectively reach all the schools in the older counties even with the fullest support of those in authority. It was therefore suggested that there be provided for each township an assistant to serve as a supervisor therein. In some counties it was said that no encouragement at all was given to supervision, and so the only way to bring about a change in such jurisdictions was by selecting the proper men for county supervisors through whom the proper supervision could be secured.

Under the laws of those days the issuing of certificates to teachers was placed in the hands of the

county superintendent. Uniformity under such a system was entirely accidental. Examinations were either written or oral, or both, depending upon the whim of the examining officer. Standards were, of course, individual; and the life of certificates was optional with the issuing authority. For example, in one county those answering fifty percent of the questions were permitted to teach for four months, sixty percent for six months, seventy percent for eight months, eighty percent for ten months, and ninety percent for one year. It may be noted in passing that the greater number came within the lowest classification.

The demand, nevertheless, for teachers who possessed certain qualifications and who had some training was definite. Furthermore, there was in some sections a disposition to discriminate in favor of those who were more than ordinarily equipped. Thus, in a certain township thirty-two dollars was paid to a first class teacher, twenty-eight dollars to a second class teacher, twenty-four dollars to a third class teacher, and sixteen dollars to a fourth class teacher — and without any distinction as to the sexes. The complaint was general that teachers engaged in the occupation temporarily; and so, it was difficult if not quite impossible to secure persons with training. On the other hand, in certain quarters it was declared that progress in the schools was due to a determination not to issue certificates for experimental purposes and to an insistence upon fair qualifications to teach the branches required by law.

In November, 1864, it was said that many districts were without teachers and that good teachers were scarce. Directors were advised, therefore, to secure teachers as soon as possible after being elected: the habit of postponing the employment of teachers until a week or two before the opening of the term was deplored. At the same time it was recognized that the director had no means of knowing who were best qualified. To supply such information it was suggested that public record be made of the actual conditions observed in the various schools by a visiting committee or superintendent. If the names of teachers were thus reported, with comments upon their success in instruction and discipline, it was thought that a "spirit of emulation" would be aroused which would be of great benefit.⁸²

The institute was maintained as the only opportunity for teachers to secure the advantage of the experience of others; and just at this time it held the attention to the exclusion, in some instances, of other vital interests. While the institute will be considered fully in a later chapter it may be observed in this place that in 1864 it was closely related to the whole movement to secure a better equipped teaching force, more adequate wages, and more thorough organization. The fact that doctors, ministers, and the professions generally, as well as the laymen of all occupations, were welcome to these meetings, either as conductors or as auditors, suggests the cosmopolitan character of the institutes. They were used, moreover, to measure the qualifi-

cations of teachers, since the county superintendent frequently if not usually insisted on attendance as a prerequisite to the granting of a certificate. Such requirements seem to have had the support of the teachers, since instances are recorded where the superintendent was requested to execute the law to its full extent and to withhold certificates for failure to attend. In at least one instance the teachers by agreement declared that they would not teach in the summer for less than twenty-five dollars nor in the winter for less than thirty-five dollars — which action had in it an element of unionism somewhat in advance of such movements in the world of labor.⁸³

Scarcely a meeting of any significance was held during this period that did not have its advocate of the graded school, not only for the town but for the rural districts as well. As with all other innovations the graded school had its defenders and opponents: it was commended by high authority and opposed by men of equal rank. Institutes and associations, both local and State, usually came to some conclusion on the subject — for the most part, it appears, in support of a definitely graded system of schools. The town or city district, it was conceded, had no excuse for hesitating to introduce such a plan. Indeed, the urban communities were rapidly making headway in the adoption of such a system, notwithstanding the fact that the movement was not thoroughly understood. If one may judge from the figures submitted, the greatest obstacle to the success of the movement lay in the irregularity of attendance and the want of

appreciation of what was presented in the public free school—an obstacle, to be sure, not peculiar to the sixties.

To illustrate the conditions of this period by specific instances one may cite Burlington, where in 1864 plans were submitted for grading the entire district and for the organization of a high school which was to maintain a course of four years, including “higher English and Mathematics” which subjects, it was asserted, were usually studied in the best academies. A similar plan was proposed for Muscatine, where a graded school had been maintained for at least a decade. These cities had published their plans for primary, grammar, and high school departments. Moreover, as these plans developed it was soon seen that all classes were ready to patronize the free public schools in preference to the private schools, leading in a few years to the disbanding of the latter. Where the schools were organized on a graded system the offices of superintendent of schools and high school principal were combined in the same individual.

It was in 1864 that the Des Moines high school received its first pupils—twenty-four out of sixty-eight who entered the examination for admission. The same year Cedar Falls was constructing its finest building at an expense of \$15,000; while Council Bluffs, about the same time, invested \$5000 in a second building, thus providing for two schools of three departments each.⁸⁴ Five years later this city had one thousand pupils, six buildings, and

twenty teachers, with a three-story high school building, eighty-two by ninety-one feet, nearly completed.

It appears, moreover, that larger areas than city districts were considering the graded school, for in 1865 St. Charles Township in Floyd County voted to appropriate \$8000 for a building that would accommodate all the pupils of the township. At that time it was said that this was the first instance of a township graded school, and so its future should be carefully observed. Two years later the building was reported as completed, and the entire property was valued at \$12,000 — that is to say, the township had a school property of that valuation. This building was said to be equipped with all the improvements which the time afforded. In its construction some attention was given to ventilation — a subject just then beginning to receive some consideration in the construction of such buildings. The structure was designed to accommodate about four hundred and fifty pupils.⁸⁵

Monticello Township in Jones County enjoyed the advantages of the Monticello graded school and academy, where tuition was entirely free to pupils of the township. During the winter term of 1866–1867 there were more than one hundred and thirty pupils — including fifty tuition pupils from beyond the borders of the township — enrolled in the higher department, where, if one may judge from the subjects, a great variety of work was offered. Indeed, the course of study was more elaborate from the

standpoint of subjects than that of most of the high schools of to-day. Not only was provision made for general instruction, but classes for special instruction and drill in the theory and art of teaching were also included in the plans of this institution, which was organized in September, 1866, by Mr. Jerome Allen, and which, during the fall and winter terms following, recorded a total attendance of a little less than four hundred pupils — who, it is evident, came largely from the rural districts.⁸³

Such institutions received the unqualified approval of the Superintendent of Public Instruction in his report of 1867. The section of the law which provided for their establishment was considered by him as one of its fortunate features; and he observed that, while “schools of this character” had been organized in “numerous localities”, they had not yet received the attention which their importance deserved. It was believed that such an arrangement of schools would prove much more satisfactory to all villages and rural districts than the independent district system, since the burden of support would be distributed over the entire township and the advantages of higher education would be available to all pupils residing therein. That is to say, pupils in all rural districts could live at home and at the same time avail themselves of the opportunity of free instruction in the higher branches taught at the central school.

It was clearly the intention of the law to provide all children with the same educational opportunities,

including the advantages of higher instruction; but in townships having the independent district organization many were excluded from such advantages. Moreover, a more general adherence to the district township system, with the establishment of union schools, would not only secure these advantages to all alike but would at the same time, it appears, comply more nearly with the statutory provisions.⁸⁷

Although the General Assembly in 1866 voted down a proposition to require eight months of school in each district annually, on the ground that the people did not want it, the district township of Forest City in Howard County decided to maintain schools for ten months and to retain the same teachers throughout the period, graduating the wages according to the grade of certificate. The levy for school support in this township in 1867 was the highest in the State in proportion to population and wealth, suggesting a disposition to allow the teachers a more just compensation. It was the township of Forest City, moreover, that introduced a system of monthly reports from all subdistricts, which were required to be filed by the teachers with the president of the board — a requirement much in advance of the custom elsewhere.⁸⁸

It is apparent that the people were willing to submit to what was considered heavy taxation in order that schools in sufficient number might be maintained. This was true especially in the newer counties to which settlers were coming rapidly and in which the demand for buildings arose in propor-

tion to the influx of population. Then, too, it is probable that these newcomers, having arrived from States which had succeeded in establishing a school system, were familiar with the benefits of free schools and were therefore eager to secure the same privileges in their new home. This, it seems, is a reasonable conclusion based upon contemporary observation. For example, in Kossuth County it was said that the "inhabitants in the county do not wait for the public to provide school houses. Schools they *must have*, houses or no houses. In visiting the schools of the county, I found two in private houses, with only a slight partition between the school and the family. One was in a forsaken log shanty, which needed neither door nor window to let in light and air. . . . One school was in a mere temporary board shanty, without any floor, put up just for the summer." Besides, there were two schools conducted in sod houses — which, it was said, were becoming quite common. The county superintendent who forwarded this information had ten years before been a resident of New England; he now declared that the teachers in Kossuth County were the equal of those he had known in the East.⁸⁹

This condition in Kossuth County was doubtless typical of the communities of northwestern Iowa in the sixties — although in some counties not nearly so much progress had been made. Buena Vista County had no school houses in 1867, and was preparing only two for the winter term of 1868. Cherokee County was levying heavy school taxes in

order to provide buildings, a number of which were being erected in the districts recently settled.⁹⁰

Other matters, however, were occupying the attention of the school authorities in the older counties of the State. In March, 1867, there was held in Louisa County a notable convention at which it was agreed to cease the practice of maintaining school through the hot summer months and during the spring when roads were very bad. This county, with Scott, also led in making provision for the wages of first class teachers, which should vary from twenty up to forty-five dollars per month, according to the grade of school and the time of year. Other matters, however, such as the condition of the school house and its equipment, might affect the wages paid. Where the school was "large and accommodations poor" wages were to be increased five dollars per month; where accommodations were good and the school small, wages were to be reduced by the same amount. But if accommodations were good and the school large, or if they were poor and the school small, the compensation was to remain the same. If, however, suitable teachers should offer to work for less than the rates agreed to in the convention, the school authorities should take them at their offer, but should not dismiss those who were satisfactory. The teachers in Louisa County were at that time graded in a four-fold classification — that is, if they had "established a reputation" worthy of such classification — according to which wages were rated.

Some stringent rules were adopted by this convention, among which was the requirement that if any teacher should adjourn his school for his own convenience, without the consent of his director, except in case of illness, he should be required at the close of the term for which he was employed to teach double the time which he had thus lost. Other rules governed not only the daily program and the presentation of subjects, but also the character of reviews and examinations. Teachers were directed to provide new matter for three weeks, devote four days of the last week of each month to review, and conduct a monthly examination on the last day of the month. A graded system of five divisions was recommended; and a list of uniform text-books was adopted, none of which could be changed without a convention of school officers. Although most of the questions discussed in the Louisa County convention were more or less prominent at that time in the State, some of the regulations adopted seem to have been altogether original.⁹¹

The independent districts appear to have been rapidly improving their accommodations in 1866 and 1867. The town of Keokuk at this time had established five grades in what were called the common schools and two grades in the grammar school. Above the grammar school there was maintained a high school, in which provision had been made for instruction in German. In the same district there was also a graded school for colored children, which was attended by over two hundred pupils.⁹²

Independence was arranging to open one of the best buildings in the State about December 1, 1867; while West Des Moines was constructing a building at an expense of \$45,000, to be completed in 1868. Of the schools of Iowa City it was said that they were thoroughly graded, a central high school established, and a superintendent employed for the whole system. Waterloo erected two buildings in 1866 at a cost of about \$10,000 each; while Cedar Falls valued her improvements at \$22,000. Ottumwa had six hundred pupils in nine rooms with but ten teachers. At the same time Fort Dodge had two primary schools, two intermediate schools, one grammar school, and no high school. Although all the school buildings in Fort Dodge were then temporary, a new building to cost \$27,000 had been projected. Davenport continued to lead all the schools of the State, having in 1866 constructed two buildings each valued at \$20,000 and each accommodating three hundred and fifty pupils, while in 1867 another building to seat seven hundred pupils was begun. In the meantime the salaries of principals in the Davenport schools were increased about one hundred percent and those of the teachers about one-half as much.⁹³

The independent district of Grinnell was organized in 1867 with a graded school and four teachers. Montezuma was likewise provided with a graded course at the same time. There were other independent districts in Poweshiek County, such as Brooklyn. Indeed, while opinions might in some

instances favor a township organization, it appears that as soon as a village could meet the requirements of the law the organization of an independent district was preferred — a conclusion which seems to be confirmed by the fact that in Van Buren County no less than eight independent districts were organized in 1867.⁹⁴ The latter county reported in 1869 an increase in the value of buildings in the two years of about \$50,000 — an increase which was due largely to the construction of central buildings in independent districts.

It was following a period of little legislation relative to schools that Governor William M. Stone said, in the course of his second biennial message in 1868: “if shielded, as they wisely have been for several years, from the disturbing hand of attempted legislative improvement, and if liberally sustained by an intelligent public sentiment, our common schools may continue to advance in usefulness, and become an enduring monument to the eminent men by whose wisdom this admirable system of popular education was devised.”⁹⁵

While the message of Governor Stone suggests a most satisfactory situation, it was said elsewhere at the same time that the great defect in the educational system of Iowa was clearly in “the immense gap between the public school and the college”. There was no provision for the continuation of study by those who after leaving the public school were forced to labor; and it was to meet this situation that the evening school came to be suggested. In some

communities such evening schools had been provided at the instance of the school authorities as early as 1869. Moreover, the State Superintendent of Public Instruction recommended that these schools be made free to all persons over twelve years of age, since it was observed that in some instances "young mechanics and apprentices" took advantage of the opportunity to recover what they had lost from day schools, while in other cases "female domestics, both native and foreign" had entered upon courses of study. With this experience it was considered possible to greatly extend the advantages of the evening schools.

The school library was also recognized as an agency of great value in a system of education. And the use of such an equipment was thought to be most profitable when maintained in conjunction with a "lyceum" composed of enthusiastic members. Indeed, it was declared that "as an incentive to investigation, the lyceum equals, if it does not excel, the school."⁹⁶ And so, encouragement in the equipment of district libraries was sometimes given by private persons in the form of reward for definite services. In 1869, for example, a citizen of Henry County proposed to pay one-fourth of the cost of the second half acre which any district might add to its school lot; and he would present a hundred-dollar library to the district which would within five years grow the best half acre of timber on its grounds and which should be "supplied with a good out-house for the use of each sex."⁹⁷

In the history of education each year is a unit of progress; and each year has its own new problems which apparently become more numerous as time passes. While legislation could require this or could limit that in matters of education, it could not institute the spirit that insures success in every particular. Moreover, it is only through the study of local history that one discovers the real advancement in education. In 1861 the highest point was reached in the use of log buildings for school purposes; from that time on the number grew less and less until they disappeared, their last traces remaining in the older counties where they had been most numerous. It was said that Howard County had but two log school houses remaining in 1869 — frame, stone, or brick buildings having been substituted. Nor can one conceive of the union school as occupying several rooms in a log house when the three-story brick structures were appearing in so many independent districts.

Here and there, indeed almost everywhere, new schools were being established under the direction of efficient men. For example, in the autumn of 1869 Mr. C. P. Rogers directed the opening of the new building at Marengo, where he introduced one of the first high school physical laboratories in the State. The town of Cresco was but three years old, and yet in 1869 it had dedicated a school building valued at \$7000 and had placed a college man, Mr. A. L. Norton of Beloit, in charge. Forty-two new school buildings were constructed in the county of Winneschiek during

the three years ending in 1869. Thus scores of instances might be cited to show the great effort that was being made to secure adequate accommodations.

But during these same years there were men who deplored the great loss to the community which resulted from the want of appreciation among those who paid for the support of public instruction and who ought to have been the most vitally concerned in the education of those for whom schools were established. In other words, there was difficulty in securing a large percent of attendance. Although attendance was not in any sense a new problem, it was now demanding closer attention, and there were rumors and hints that a compulsory attendance law would be desirable. But such legislation was advocated with caution, since the opinion prevailed that all other means should first be exhausted.⁹⁸

Although some of the older schools had introduced penmanship, drawing, music, or other special subjects, such expansion was by no means common in the period from 1869 to 1871. Even in 1871 when music was introduced in the Davenport schools it was looked upon by some as a doubtful experiment. The kindergarten had not yet come to be well recognized in the United States; and only recently had object teaching been brought to the attention of the teachers. Indeed, these were methods of instruction which were treated in public reports as having qualities that might lead to erroneous conclusions. Some good, it is true, was seen in such innovations, but only after most careful investigation were they adopted.

There was, however, no hesitation in emphasizing the importance of moral and religious instruction in the schools; and so, there was persistent effort to find some common ground on which all might agree to the end that the schools would not neglect the important function of training in morals.⁹⁹ Corporal punishment likewise received a degree of attention proportionate to the importance of the subject; and discipline was pronounced "weak" in some instances because such punishment had been prohibited without at the same time substituting any other adequate remedy.

It is apparent that opinions were then, as in later years, very much divided on the newer questions, while they were growing into complete harmony on such subjects as taxation for public instruction and the patronage of the public school. In Van Buren County, where in 1865 there were at least one college, an academy, and several private schools, it was affirmed in 1871 that all were about to give place to the public school. An address given by the president of a college in that county contained the following:

The public schools of the count[r]y are starving the colleges to death. At present none but those of large endowments will be able to stand [the] pressure of the advancing tide of the common or public schools of the country; and the time is coming, when anything short of a classical education, may be secured in our common schools, and I say, God hasten the time.¹⁰⁰

There was still great inequality of educational opportunity between the counties and towns of the

State. While Jackson County, for example, reported 8000 persons of school age, regret was expressed that there were not "thirty pupils studying geometry, not fifty studying algebra, not fifty studying philosophy, and not twenty studying astronomy." In other words it was said that the time of the teachers was devoted to the common branches which, although essential, ought not to prevent the introduction of advanced instruction for "several large classes". There was neither academy nor high school, public or private, in the county of Jackson at that time.

On the other hand, in counties of less population and of more recent development the graded schools were establishing the higher classes. Floyd County, for instance, claimed that no child would need to leave his home county to prepare for college, since "the classics as well as all the natural sciences and mathematics", were taught in some of the independent district schools. Buchanan County in 1861 had but forty school houses valued at less than \$7000, while ten years later there were one hundred and twenty-three with a valuation of over \$100,000 — the large difference being due evidently to the erection of buildings for graded schools in the independent districts where, it was reported, definite courses in all the common branches were offered in four, "higher English in a few, the Latin language in three, and the German in one."¹⁰¹

It was at this juncture in educational development that a few leaders of the Iowa State Teachers'

Association saw the necessity of coming to some early conclusion relative to the courses of study which the public high school should undertake. This movement, originating about 1870 and coming into public notice about a year later, had an important bearing upon what the independent district should attack in providing for higher education. The details of the movement belong properly in other chapters, but its introduction marks a period that is general in character and throws light on the meaning of later action taken by the graded school authorities. Moreover, it was in 1870 that the law providing for county high schools was approved—a plan that was adopted by but one county in the State.¹⁰²

Failure to make steady progress in all sections of the State does not appear to have been the fault of the county superintendents; for from evidence which is now available it is clear that continued efforts were made by them to arouse interest in educational matters. Agitation was carried on through assemblies of both teachers and patrons in counties, townships, and districts at all times of the year. The “meetings” and “miles traveled” were common items in the reports of county superintendents in 1871. In some localities the greatest desire seems to have been to secure the united action of all agencies connected with education.¹⁰³ The county institute also had long played an important part in arousing interest; but this educational agency was about to come under a new plan of

organization by which it was to lose some of its earlier spontaneity. Then, too, certain improvements in methods of instruction appear about this time. The so-called "pen knife" system of teaching reading was giving way to the word and phonic method. Apparatus aided in making work comfortable and inspiring. Text-books were giving way to a greater freedom in expression through map drawing, music, oral grammar, and object teaching. "Patent furniture", too, appears to have added dignity to many school rooms, where the log house had been displaced by a modern building with furnace heat and fresh air.

In 1870 Governor Samuel Merrill had recommended only such legislation relative to education as would appear to be necessary to carry into effect existing regulations and remedy defects in former acts. He suggested some improvements in supervision which would increase its efficiency. In 1872 he approved the recommendations of the Superintendent of Public Instruction proposing to abolish the subdistrict system, and at the same time urged the establishment of normal schools; but in neither case was there any suggestion of radical changes.¹⁰⁴

It would seem, therefore, that some of the laws of 1872 were not in harmony with the views of the Governor, although an act affecting the schools as a whole related to the levying of school taxes up to a certain limit per scholar for the two designated funds — contingent and teachers. This act was modified somewhat by the provisions of the *Code of*

1873 which fixed a minimum amount in each instance.¹⁰⁵

The decade reviewed in this chapter had witnessed remarkable advance in the material equipment of the schools, in the methods of instruction, in the estimation of what education by the State really meant to each child, and in definite leadership toward a graded system with higher instruction at the end. Besides, there developed a conviction that the free school had come to stay and that the "School killer" must go. All this, however, was only a forecast of what the State would undertake, not only in the development of the common schools but also in the advancement of institutions for higher training in the professions and in technical pursuits.

VI

A MOVEMENT TOWARD EFFICIENCY

ALTHOUGH there were about 13,000 teachers in the State of Iowa in 1872, only seven were giving all their time to the supervision of the work of others. But there were about three hundred who devoted a part of their time to such oversight — doing so frequently, it was declared, while instructing for six hours daily.¹⁰⁶ It seems evident, therefore, that with the increase in the number of graded schools which had grown from almost none in 1863 to over four hundred in 1873 — one hundred and thirty of these having been organized in the biennial period ending in 1873 — there was no corresponding development of the supervising factor as a separate function. Moreover, this situation was shown in the attitude assumed toward the office of the county superintendent which, although established by law in 1858, had not in all these years reached such stability that its abolition was not seriously considered.

This apparent neglect of supervision in the school system was clearly seen and deprecated by some of the leaders in education. At the same time it is quite evident that the great majority were content to establish and maintain only the common schools, which grew in numbers over forty percent and in

average attendance twenty percent from 1863 to 1873. That is to say, public attention was fixed on growth and not on efficiency. Nor is this to be wondered at, since the increase during this same period of nearly seventy-five percent in the number of persons between the ages of five and twenty-one, along with the expansion of settlements, demanded a large development on the side of material equipment. And this was true not only in the rural districts but in the independent districts as well, where expensive structures were absorbing the attention and means of the constituency.

It is with more satisfaction that one observes during this decade an improvement in wages from twenty-two to thirty-six dollars per month for men and from sixteen to twenty-eight dollars per month for women. But still more remarkable was the increase from \$760,000 to \$4,200,000 in the total expenditure for schools. The expenditure of such a sum, after its collection through taxes levied with practical unanimity, involved the only danger to its popularity. No complaint, however, seemed to have been made when the expenditure was judiciously performed.¹⁰⁷

The problem of efficiency appears to have provoked a rather general movement among school men about 1872. The evidence of the movement suggests a desire to get together on some plan of comparison of effort and to collect data showing the exact facts in different communities. In a very elementary way a few at first followed the recommendations of the

superintendents' and principals' section of the State Teachers' Association that a system of uniform reports be published revealing the actual results. But this plan did not include the rural school: it was chiefly a movement for bringing together certain data each month from the graded schools in the independent districts. The movement was not only significant on account of the opportunity given to compare the actual attendance with enrollment and the relative valuation placed upon an item like punctuality, but it probably furnished the incentive for keeping more careful records which have since become valuable. It is, moreover, interesting to read the names of the twenty-four men who filed this first report. Among them were C. P. Rogers, Charles Robinson, L. M. Hastings, James H. Thompson, D. W. Lewis, John Breckenridge, E. R. Carr, J. Valentine, Irwin Shepard, Albert Loughridge, William M. Bryant, L. B. Carhart, and John K. Sweeney.¹⁰⁸

But the rural schools were not entirely neglected in these developments, for through conventions the value of such statistics was becoming more apparent. Delaware County was among the first in establishing a system of monthly reports to the county superintendent, which not only served as an incentive to teachers and pupils but was considered important enough to bring before a convention of school officers called to discuss such subjects as the care of school property, comfortable and well ventilated rooms, gradation and classification, and school records.¹⁰⁹

Although permanent records of value were not fully secured by such simple recommendations, it may nevertheless be assumed that from these modest beginnings attention was more and more directed to the importance of preserving some data not only for comparison and criticism, but also to show the extent of growth and to serve as reference material in years to come.

That the schools in the elementary stages were not confining their efforts wholly to their legitimate work, but were ambitious to "get on" in books, seems to be true. As to who was responsible, the pupil, the teacher, or the parent, it is not altogether clear; but it was sometimes charged that the "public mind" was responsible for insisting upon the introduction of "advanced subjects" such as algebra, natural philosophy, and others of equal rank and high sound. That the introduction of these subjects in a system of elementary education was considered a serious matter, is clearly set forth in some of the public documents of the time. The question came before teachers' institutes for consideration as early as 1870. Moreover, it was agreed that the practice should be discouraged and that all should endeavor to keep instruction within the limits of the legal subjects. Of course it was illegal to teach such branches from text-books as well as woefully wrong to give false impressions of advancement without authority from a board of education; but under the statutes of the State there was abundant opportunity to introduce any number of advanced sub-

jects, notwithstanding the lack of preparation on the part of the teachers of the school attempting to give the instruction. But it was the district school assuming the prerogatives of higher education which caused the contention; since it was believed that the common subjects which the law named and required were sufficient, if well taught, to make good citizens.¹¹⁰

The confusion due to a great variety of text-books — a phase of the subject which can only be mentioned here — may account for the tendency to depart from the real needs of the persons taught. There was, however, no regulation governing changes in text-books until in the seventies, and then only as to the frequency of the changes. There was, to be sure, some effort to secure a measure of uniformity by agreement in townships or counties. The problem had to be worked out finally through experiment, as is apparent from the study of such developments in a later chapter.

The “school district” has been a never-ending theme for discussion, for disagreement, and for pages of recommendations. But the problem was in a relatively elementary stage when Governor Cyrus C. Carpenter delivered his first biennial message in 1874, in which he deprecated the great increase in the number of districts and particularly in the number of officers who must accordingly be chosen to conduct the business. Again the reader must be referred to a later chapter for a more complete account of this factor in the construction of the

system of school administration. In 1876 Governor Carpenter asked seriously as to whether it would not be wise to insist on every child attending the elementary school for a definite period. That is to say, should Iowa delay the enactment of a compulsory attendance law? But not yet was there agreement on this subject. Indeed, the men who filled the office of Superintendent of Public Instruction were not in harmony on this point. But this much is clear, the principle of compelling attendance where opportunities for an education were being neglected was coming prominently before the people of the State.¹¹¹

There was a distinction made between compulsory attendance and compulsory education. The latter, it was declared, would involve a consideration of environment and occupation, and might be accomplished without attendance upon the sessions of a school. One might be opposed to forced attendance who would fully approve of a training for every individual. For example, it was suggested by Superintendent C. W. von Coelln, who was not convinced of the wisdom of compulsory attendance, that for habitual truants industrial and reformatory institutions should be provided, rather than forcing their attendance on the public schools.

At that same time the economic administration of the schools would no longer permit of the custom of summer terms, that is, of continuing the sessions through the months of July and August. The actual waste resulting from this practice had not before

been realized. To be sure, conditions have changed with the introduction of outdoor instruction; but the old plan of housing children during these hot months in a wooden structure on an open prairie, with no tree in sight, and with those only in attendance who were not yet sufficiently matured to make a "hand" in the field, came to be condemned as a bad practice. A further reason for abandoning the summer term was seen in the fact that better results could be obtained in a continuous session without so long a break. It now seems reasonable to attribute the insistence on a summer session in the early years of the free schools to the inability of small children to attend at great distances in the winter seasons — a reason which became of less importance as the districts became more regular and school houses more numerous. In the early days it was safer and easier for the small child on the Iowa prairie to find his way over the stubby grass land and through unfenced waving grain fields in mid-summer than to face the terrific and blinding blizzards that swept the country in the winter months. His journey, too, was not at first to the center of his district of but four square miles, but rather to a compromise location which would accommodate several fractions of districts.¹¹²

As these questions were adjusted others of vital interest came to the front, such as the problem of sanitary and hygienic surroundings. Heating and ventilation, however, had little if any consideration until about 1875. It was then that school officers

are reported as adopting some system for an entire county through mutual agreement.¹¹³ There was slow progress in this line of the school equipment; while legislation became necessary to compel the observance of decent toilet accommodations. It may be said, too, that even plain speech on the part of public officers failed to arouse some communities to a sense of their responsibility until very recent years.

But of all the questions which confronted the Commonwealth of Iowa during the closing years of the seventies those of grading, classification, and courses of study appear to have had precedence. Reference has already been made to the caution uttered against slighting the elementary subjects. It was agreed that this matter could not be left to chance, and so there was developed a movement to outline, provisionally perhaps, a course of study for all schools. The initiative, to be sure, was not taken by the people in the districts; but working from the top downward it finally reached the district school. The first steps toward high school uniformity have been noticed. Then in 1877 the principals and superintendents of the State authorized the appointment of a committee consisting of State Superintendent von Coelln and city superintendents C. P. Rogers and J. H. Thompson to prepare for the public schools a complete course of study. This committee had for its definite aim the aiding of the authorities in carrying out the provisions of the law which required the University, in its scientific and collegiate courses, to commence at a point where the same

subjects were completed in the high schools of the State. As expected, the committee performed its duty and submitted a course for twelve years running through the primary, the grammar, and the high schools.

Through the office of the Superintendent of Public Instruction this course of study was sent to all parts of the State, along with comments by the committee, in which attention was directed to some of the advantages which would be secured through its adoption. For example, it was pointed out that there would be uniformity in nomenclature — a long-felt need. Subjects taught in grades would run parallel. The division with departments was a recommendation of the national association of superintendents. Moreover, the arrangement for advanced courses would permit a district to adopt one or four years' work — three years being advised as most suitable for the greater number of districts. Courses involving four years, it was suggested, should not be attempted by towns of less than six thousand population.¹¹⁴

Close upon this movement for definite courses in the public graded schools of independent town districts, and in some instances contemporary with it, similar provision was made for the rural districts. Mahaska County teachers, it appears, had requested in 1876 that the superintendent of schools should provide a course of study for his county, and they pledged themselves to follow his suggestions. Such a course was accordingly prepared, and in published

form it was placed in the hands of officers and teachers. With the action of the county superintendents in 1878-1879 this reform in the rural districts became a State movement, resulting in a fully outlined course prepared for the rural districts by a committee, which originally consisted of seven members but which was finally reduced to three superintendents — H. D. Todd of Keokuk County, C. H. Clemmer of Scott County, and Nicholas W. Boyes of Dubuque County.

The purpose of a definite course of study as indicated by the work of the committee was the prevention of the usual repetition of text-book matter, time after time without any indication of progress. That is to say, by the introduction of a definite course it was sought to establish a record of work accomplished, so that at some time one might know that he had completed something of an authorized curriculum, instead of leaving everything to the indefinite and uncertain methods heretofore pursued in the majority of schools.¹¹⁵

The public schools received some consideration from Governor Joshua Newbold in his message of 1878, wherein he commended the recommendation to establish a State Board of Examiners in order that some definite status might be given to the teachers who desired recognition through a State license. It will be observed that by the *Code of 1873* the old Board of Examiners, constituted from the faculty of the State University, was relieved from duty. Accordingly there was at this time no authority

which could grant State certificates or diplomas. In the same message the Governor expressed himself relative to the text-book situation by suggesting the feasibility of loaning books or disposing of them at cost by the district. In harmony with his predecessors he deplored the multiplication of officers, for which the rural independent district organization was responsible. Moreover, about the same time Governor John H. Gear in his inaugural address made inquiry as to whether the time had not come for Iowa to adopt some system of "compulsory education", a need which he again referred to in his messages of 1880 and 1882.¹¹⁶

During the years mentioned above there was frequent reference to what was sometimes called the "economy mania", which resulted in a material reduction in the wages of teachers in some sections of the State. Moreover, this so-called "mania" led to retrenchment, or an attempt at retrenchment, in some of the more important centers. At the spring election of 1880 all foreign languages were voted out of the high school at Independence. In Clinton two factions presented tickets — one for adequate salaries, efficient schools, and a superintendent; the other for retrenchment, no superintendent, and no high school. The progressive faction won by a large majority.¹¹⁷ At the same time an exciting election occurred in Wapello over the completion of a new building. Fortunately the board was sustained. At Indianola the superintendent of the schools was dropped for the year following.¹¹⁸ These are but a

few instances of the reactionary tendencies following the financial disturbances of that period. Moreover, they indicate the point of attack when stress came to the institutions that were then consuming about one-half of the public revenue.

But new propositions were now coming forward which would not only attract the attention and interest of public men, but would also show a diversity of opinion. To illustrate this point it is necessary only to suggest the text-book supply and to select a passage from the biennial message of Governor Buren R. Sherman in 1884, in which he advocated the publication of such books by the State, so that uniformity and economy might be secured to the patrons of the public schools. The Governor was thoroughly convinced that such a plan was feasible; and he hoped that the General Assembly would make provision for its administration, suggesting the appointment of a "committee of competent educators, citizens of our own State" who could readily be secured to "prepare and edit these works". Two years later the subject of text-books was again brought before the General Assembly by the Governor; but in the meantime his views with regard to the problem had been modified to such an extent that he did not insist upon the radical method which he still believed contained the solution. On the contrary side, Governor William Larrabee met this question in 1888 by saying: "Keep the State from engaging in commercial enterprises like the publishing of school books, etc. Leave to the people of school districts great freedom

to determine such questions, and to govern their own affairs.”¹¹⁹

The attitude of Governor Larrabee on the subject of temperance is so well known that it would be natural to expect him to submit the proposition that “teachers should by law be required to instruct their pupils as to the injurious effects of the habitual use of alcohol and narcotics upon the system.” Nor was it out of harmony with this view that he approved with emphasis the recommendation for the enactment of a compulsory attendance law, which came from so many sources and was supported in 1887 by an elaborate report of the Superintendent of Public Instruction.¹²⁰ But the time had not yet arrived when agitation had sufficiently stirred the public mind to compel legislative action.

There was, however, a prediction that the next General Assembly would attack the problem of attendance, since it was believed that public sentiment was becoming more favorable to compulsion. Furthermore, it was said that there was a growing class of citizens, more especially in cities, who failed to send their children to the public schools. To the end that such a compulsory school attendance law might become not only effective but also of the most practical benefit, it was suggested that the offering of some form of industrial training in the schools would be advisable.¹²¹ Manual training, it may be noted, was just beginning to appear among the “new things” in the schools of the Commonwealth.

During the last half of the eighties the records

are indicative of very satisfactory growth in the schools. For one biennial period the increase in attendance reached 30,000; while the total enrollment had grown by the remarkable total of 70,000 pupils. This was regarded as "healthy and substantial", as well as exhibiting something of the "zeal of earlier years". It was recorded, too, that not less than seven hundred buildings — "many of them being elegant and commodious structures" — were erected during the same time. But these were "building eras". From 1858 to 1860 over eleven hundred school houses — log, stone, and brick — were built. Almost a thousand buildings were erected from 1866 to 1868, and nearly as many from 1872 to 1874. It will probably be granted that the building operations in the eighties exceeded the other periods in amount of expenditures.¹²²

Along with this growth in numbers and physical equipment there seems to have been an increase in the progressive spirit of the teachers and those in authority. From different sources there are indications of an enthusiastic acceptance of new responsibilities and a working out of some older measures theretofore considered as altogether unadaptable to the situation for which they were planned. This was shown in the interest with which courses of study were put into practice and in an endeavor, in some instances, to grade the rural school — all of which may be contrasted to the opposition expressed in 1863 when such propositions were submitted through the Acting Secretary of the State Board of Edu-

cation. Indeed, the rural school diploma had come to be mentioned as a really meritorious reward for the completion of such a course.¹²³

The recommendation of Governor Larrabee relative to teaching the effects of stimulants and narcotics was written into the first law enacted by the Twenty-first General Assembly. The requirements of this statute were accepted and acted upon in the great majority of the public schools of the State. A year later (1887) it was said officially that the law had been "very generally obeyed". Moreover, previous to the taking effect of the act on July 1, 1886, there was definite preparation, through the conventions of county superintendents, for its observance; and the county institutes of 1886 included lectures preparatory to such instruction and to the examinations that would be required of teachers in 1887. In many instances boards of education adopted an outlined course, and, where such books were available, designated texts upon the subject. Nor was the legal penalty for non-observance the fundamental reason for the united action among the agencies which were responsible for the results of such instruction.¹²⁴

The reasons for the ready reception of such legislation by those directed either to provide for or to impart such instruction is perhaps best revealed in some of the comments of that period, which lead to the conviction that there was a general elevation in standards. The growth in material equipment and length of term were equalled, it appears, in the in-

crease in the interest manifested by those charged with the supervision and employment of teachers. Each succeeding year, it was declared, brought forward a better class of instructors as well as of school officers. There were fewer complaints of delinquencies among secretaries and treasurers; correct reports were becoming an actuality; the best teachers were in demand; and good citizens were not refusing to accept office and perform the duties assigned. Then, where a few years before pupils were selecting their own studies as they pleased, where as many teachers were employed as there were terms in the year, where there was little uniformity, there was now a graded system, teachers were employed by the year in many instances, and some system pervaded entire counties where leadership was exercised. Radical changes were possible under a union of patrons, officers, and teachers. And all of this was due, as some declared, to the "education of the whole people"—a principle the observance of which one might recommend in the solution of any problem confronting the State.¹²⁵

VII

THE CAUSE OF THE RURAL SCHOOL

AT the very beginning of his administration in 1888 State Superintendent Henry Sabin sounded the alarm for the safety of the rural school, which to him was the most important branch of the educational system. These country schools, which were at that time limited in duration and attended by pupils of all ages and degrees of advancement, often overcrowded during the winter months, frequently worked under great disadvantages. It was the desire to secure to the rural pupil rights and privileges equal in character to those enjoyed by his city cousin, that moved the Iowa apostle of the rural school to protest against the then existing conditions.

At the same time the haste to attain the end, which too often characterized efforts in the graded city or town school, was criticized as unworthy — especially when it was evident that thoroughness in instruction was neglected. It seems, therefore, that the time had come when some one should command a halt all along the line of educational activity until an analysis of the situation could be made. It was agreed, even then, that the remedy was not to be sought in legislation, but rather in the training of public opinion in the knowledge of “what constitutes the foundation of a practical education.”

In order to secure first-hand information which should serve as a basis for action, the county superintendents of the State were requested to submit suggestions and opinions. Among the many suggestions offered by these officers were the following: the enactment of a compulsory attendance law; longer sessions of the rural schools during the winter; elevation of standards in the qualifications of teachers, especially in the ability to instruct and govern; State uniformity in examinations for certification; the basing of appointments to teaching positions partly on maturity and judgment; provision for more comfortable physical environment in the schools; an obligatory State course of study for the rural schools; the admission to the high schools of pupils from the rural schools upon certificate; free text-books; and finally the free discussion of problems relative to the public schools in township and other local meetings.

While it is true that no new recommendations appear in the first biennial report of Superintendent Sabin, it is certain that these suggestions had never before been brought into such close array. Indeed, the various sincere expressions among school men and good citizens generally during the preceding half century left little opportunity for anyone to put forth a new proposition looking toward improvement. Nor did the circumstances call for new ideas: the need of the hour was execution. In the recommendations made to the General Assembly in 1890 it was said that "the problem of what to do for our

country schools is a very weighty one and involves many perplexing conditions. It is by far the most urgent matter to which the attention of the legislature is invited in this report. . . . No other question ought to be allowed to overshadow it."

It was made very plain that more attention should be given to physical surroundings and to sanitary and hygienic conditions, not only in the great majority of rural schools but in those of many towns as well. To be specific, it was declared to be "almost beyond belief that so many boards of directors should so disregard the laws of health, decency and civilization, as not to provide for each sex suitable out-buildings separate from each other." Nor did the State Superintendent write without due investigation and adequate information: there were many county reports which fully supported his statements. To be sure, the whole problem of sanitation, including scientific construction in heating and ventilation and the exclusion of persons afflicted with contagious disease, was an elementary question at the time of the report in 1890. Although the State Board of Health might have made rules and suggestions they were apparently not fully cognizant of conditions.¹²⁶

In his final message to the General Assembly in 1890, Governor Larrabee seconded the recommendations of the State Superintendent, giving especial attention to the suggestions relative to the rural schools, declaring that taxes levied for their support should produce as good results as were obtained in cities and towns.¹²⁷

Recommendations, however, did not always lead to the desired action, even after facts were presented to show the reasons therefor. Desirable as it might appear that rural schools should have advantages equal to those of cities and towns, it was obvious that the latter would lead the former. The most recent improvements in methods of instruction, in illustrative apparatus, and in all that goes to make progress in education were first adopted by the highly organized city system and later passed on to the less integrated communities.

For example, in 1888 the Pollard "Natural Method" of teaching reading was introduced personally by the author of the system; first in the city of Muscatine and later in the schools of Marshalltown, where two months were spent in its presentation to the teachers. Thereafter this method was used in all the primary schools of Marshalltown. Furthermore, during the same school year, Atlantic, LeMars, and Sioux City in Iowa, as well as Lincoln, Fremont, and Norfolk in Nebraska, adopted the new method.¹²⁸ Invariably the city and town schools are the first to put into practice the improvements demanded for the rural schools of the State. One may therefore rightly conclude that up to the time of the superintendency of Henry Sabin all the recommendations above mentioned — which were not dependent upon new legislation — had been actually practiced in the schools of the State although they had not yet reached the rural forms of organization.

Moreover, it was not only the purpose of the

department of public instruction but the duty of every administrative officer in the school system to advance the interests of the rural schools in every respect as nearly parallel with those of the city as possible under the limits within which such schools operated. This was the just claim of the Governor and of the Superintendent of Public Instruction.

That the district system — designated as the “hashed up” kind — could not meet the existing conditions was clear. Nor is it possible to be explicit on this question of the district without discussing it in all of its phases as a unit in school administration. In this connection it is only necessary to observe that the problem of the district has at all times been a conspicuous factor in the educational history of the State. It was prominently before those who desired to secure improvements in the rural districts; and here, as well as in the establishment of the free public school, the material saving that would be possible under a township district was used as an inducement to provide such organization. Thus in 1889 it was said that by making the civil township the unit not less than \$100,000 in salaries alone, and probably a quarter of a million all told, would be saved and directed to productive uses. But the chief interest in such a plan was from the point of view of instruction and improved physical conditions, since much better opportunities would prevail for the organization, for the supervision, and for the general elevation of the rural school.¹²⁹

To determine the course of instruction that is most worth while and to ascertain what is educationally most valuable has required much experimenting; and volumes have been written in the endeavor to arrive at the truth. Certain facts, however, have been observed and their relations analyzed until the ordinary student of education is able to grasp the connection between fundamental processes and those that are dependent upon such processes. Reference has already been made to the tendency of schools, still in an elementary stage of development, to undertake the presentation of what was designated as "advanced" subject matter. Attention was also called to the fact that these precocious schools were recalled to their legitimate field, namely, that of plain learning—which was commonly asserted to consist of reading, writing, and arithmetic.

But this was not all that was meant by the "fundamentals", when in 1891 a more thorough training in them was demanded and closer adherence to the needs of the great body of elementary pupils for whom the public schools were established was insisted upon. Indeed, it is known from personal observation and from the evidence of public documents that in his demands Superintendent Henry Sabin included instruction in all branches that would fit the child for citizenship and for the ordinary duties that confront every individual—that is, he would include training in "morals, patriotism, and the government of the state". The multitude were entitled to the best, and hence great effort should be

made to secure the most efficient service in the schools of elementary grade.

The same principle of efficient service is peculiarly important in the less advanced stages of the school system. Indeed, the village school was specified by the Superintendent of Public Instruction and by others as having a distinct responsibility in the economy of school administration. It appears that the town or village school — which, on the one hand, may be just above the rural school, and on the other, just below the advanced graded system — has been recognized as occupying a relatively important position, since it provides for the encouragement (a word which ought to be credited to Horace Mann when used in this connection) of those who have reached the limits set by the elementary school of the sub-district and who desire additional educational opportunities. Moreover, it has been considered fortunate if these institutions have not been led astray by an attempt to ape the more heavily endowed, more finely equipped, and more largely patronized institutions of the city districts; but have confined themselves modestly to their legitimate and honorable work of supplying a needed extension beyond the rural school and a possible connective between such elementary stages and those of higher institutions. More than twenty years ago these villages and towns were looked to for the preparation of teachers generally; and it was in 1891 that Superintendent Sabin declared that “in the near future the state will undoubtedly be compelled to utilize these

schools in some systematic way, for the preparation of teachers."¹³⁰

Again, it was said that the village school had a "province peculiarly its own"; but its difficulties were not understood. To be sure it had become over-ambitious; and in trying to follow the example of larger schools it won the appellation of "The Impossible". Having its own problems to solve, it was essential that the village school should have strong management and skilled teachers and should abandon imitative courses as injurious to its real work.¹³¹

At the same time that the town and village schools were thus kindly criticized by Superintendent Sabin and President Homer H. Seerley, the latter called attention to the fact that there was something radically wrong with the grammar schools. Furthermore, it was noted that President Eliot of Harvard had severely criticized the grammar schools of New England. Although the attitude of these men was not popular, it was observed that neither periodicals nor conventions were giving very much attention to this part of the school system. It was asserted that grammar school work had remained practically unchanged for forty years; and it was more mechanical than other parts of the graded system. The proposed remedy lay in inaugurating a more rational course and a better adaptation of work as well as in a revolution in methods. Indeed, it was urged that as much consideration should be given to instruction in the grammar as in the primary or high school grades.¹³²

The pointing out of defects in the grammar school came at a time when the first attempts were being made to introduce what is known as "manual training"—a term somewhat misleading at the time and since used to cover many forms of industrial work. This movement, to be sure, would not necessarily remedy the conditions noted by the distinguished critics; nevertheless it made an opening in the stereotyped situation and loosened up the dry bones of instruction to such an extent that the pioneers in this undertaking, Davenport and West Des Moines, are entitled to commendation for making reforms in the grammar school possible.

But manual training was an innovation which the great majority of the independent districts in Iowa hesitated to introduce—due, as later years have shown, to the lack of information and to the idea that such things could be provided only in the communities with abundant means. Probably the first instructive article relative to manual training was presented in 1891 by Mr. George Robbins of Davenport, who explained the possibilities of the work in such a way as to make its introduction attractive to the schools of Iowa.¹³³

Opinions varied as to the real place and purpose of such work in the schools. Some persons were inclined toward the belief that only those unfortunate persons who must have such training or become dependent were to be the beneficiaries. Again, it was thought by some that such instruction could be undertaken successfully only when much better

facilities were available than were possible in all districts, otherwise the experiment would pass into history as one of the most chimerical and foolish notions that ever haunted the mind of man. The very most, it was said, could be made of the present by paying the best of teachers a living wage and by thoroughly testing what was already projected rather than by adding to the curriculum more subjects which might prove to be of doubtful value. That is to say, since the people were not yet demanding this sort of training its introduction should be delayed.

Of the twenty-four districts in the State with a population of four thousand or more in 1891, only the largest had made provision for industrial work, and in these the training was confined to the advanced grades. It is not surprising that in comparing the advantages of an elaborate equipment such as the district of West Des Moines possessed, the less favored districts felt that this line of work was beyond them. The twenty-four districts, varying in teaching force from one hundred and sixteen in West Des Moines to nineteen in Le Mars, were abundantly able to provide such a course in manual training as Davenport was projecting. The growth of the movement in subsequent years will be traced in a later chapter.

During the early nineties there is much evidence that problems of general management as well as those affecting courses of study were prominent, especially in larger centers. Questions relative to examinations, to promotions, and to recesses, gave

rise to varying opinions. Formal examinations were giving way in some sections to other methods of determining promotion. Moreover, where such tests had been held at the end of each month, now they were in some instances placed at the end of the term and in others at the end of the year; and in some places the yearly examinations were given only to such as failed to secure satisfactory grades on the teacher's daily record. Some cities offered special inducements to those winning high marks in examinations taken for high school entrance. In general it appears that the examination was losing as a factor of prime importance in public school work.

The old custom of an intermission at stated intervals was likewise broken up—in some places as early as 1881—as the result of a general discussion which went into the records in the early nineties. Then as now opinions differed as to the wisdom of abandoning customs of long standing. Some would make the privilege of an intermission depend on the character of the school grounds. On the other hand, East Des Moines made it depend upon the weather. In West Des Moines there appears to have been no plan that was “general throughout the city.” In Dubuque teachers were not allowed to deprive pupils of any portion of their intermission “for any purpose whatever”. Burlington had tried the “no-recess plan” and had abandoned it; while Muscatine, having abolished the custom in 1885 and shortened the day, declared in 1891 that it would be difficult to return to the former

plan. Marshalltown had tried the experiment, but after a short trial had returned to the old arrangement.

Nine years before, it was said, Lyons had adopted the newer method and would be unwilling to abandon it. By a "process of evolution", Atlantic had eliminated the recess; while East Waterloo reported that it was the cause of much anxiety, since the only excuse for not retaining it was the lack of sufficient room. On the other hand, Mason City declared that "realizing the unrighteous influence of the old time recess we have abolished this time-honored institution in grades above the fourth." Finally, it was said also that no teacher who had tried the plan would ever desire to return to the old custom, and that as a result of the innovation patrons approved and placed more confidence in the public schools.¹³⁴

Thus one might mention other problems which were solved by a canvass of opinions and local experiences. Facts gathered in this way may not be indicative of the merits of any question, but the method is illustrative of the manner in which educational problems were finally settled.

Just as the questions above cited were settled by the local authorities, so were the courses of study and their administration determined individually by the schools in many, if not the majority, of counties without any certainty that the best would be maintained. It was, therefore, a progressive plan which led the Superintendent of Public Instruction in 1890 to issue, "in response to urgent solicitations from

many parts of the state", the "hand-book" for rural schools. To be sure, years before a voluntary effort had been made through the association of county superintendents to secure the adoption of some uniformity; but the "hand-book" was an authoritative State document, lacking only the power to compel its adoption to establish a system throughout the entire State. At the same time it is a matter of record that during the first year following its issue ninety-five out of ninety-nine counties reported beginnings according to its specified plans. Moreover, it was asserted by the State department of public instruction that there was no desire to dictate, but rather to secure advancement by obtaining compliance through suggestion.¹³⁵

The first issue of the hand-book contained a summary of the school law directly affecting teachers, a course of study for rural schools, and an outline of civil government. It is understood that Mr. A. L. Shattuck prepared the course of study and that Mr. George Chandler wrote the outline of civil government. These three features were continued, it appears, until the edition of 1906, when only the course of study was retained. In prefacing the first edition of the hand-book Superintendent Sabin urged the adoption of the course of study, at least in its general outlines, since there was a "widespread demand for a course, the use of which will unify and harmonize the work of the ungraded schools throughout the state." Moreover, in its preparation there was a definite design not to depart very far from the

courses already in use in many counties. In other words, the proposed course was largely modeled upon the voluntary arrangement which had already been entered into by the county superintendents.¹³⁶

While it was thought that legislation might aid in securing action on the part of the authorities by making such outlines of study "obligatory in all rural schools", it was also proposed to extend the term of school directors to three years. By the adoption of the latter measure it was believed that a proper understanding of the benefits accruing from a unified effort would be more certain to follow and that a compulsory course of study would accordingly be unnecessary. Indeed, it was the opinion that no legislation affecting schools within a decade would be equal in importance to such an extension of the term of service of the members of school boards. Furthermore, with a board composed of members serving in divisions of one, two, and three years, it would be possible to secure some of the actual results that would be obtained under a township district system. Out of this recommendation, it is evident, came the enactment of a law by the Twenty-fourth General Assembly in 1892 extending the terms of members of school boards in Iowa.¹³⁷

Under the stimulus of the authoritative plans set forth in the hand-book the work of classification in the rural schools was by 1895 fairly well in progress; and it was becoming more and more common for pupils who had completed courses in the rural schools to be admitted without examination to the

high schools, where they were abundantly able to accomplish as much as those who had come up through the graded system of a single institution. Due credit, however, must be given to the increased efficiency in instruction; for classification alone would not stir the ambitious to high attainments.

Naturally the next important movement would bear upon the supply of teachers — not a new subject indeed, but one needing the leadership of strong men. Moreover, from the growing tendency to take advantage of the local high schools there arose the correlative demand that an opportunity for advanced instruction should be available to every pupil in the State, and it was at this juncture that the Nebraska law was recommended as suitable to Iowa conditions.¹³⁸ But more than a decade must pass before such a proposition was to be favorably considered by the General Assembly.

To adjust all departments of an educational system so that each will fulfill its proper function without trespassing upon the domain of some other, or without any division neglecting to perform its obligations, seems to be a most difficult task. While it may appear that the entire machine is in perfect order, friction is liable to occur at almost any connection. Thus it happened that complaint was made, first in 1895, that the elementary school was feeling a pressure that seemed to come upon it from above, compelling if possible the accomplishment of so much in a given time in order that a certain standard might be maintained in the higher although less

populated classes. About the same time a proposal was made that the time of the elementary work be shortened — a proposal that called forth a vigorous protest from the Superintendent of Public Instruction. "We have", he said, "no sympathy whatever with the attempts to modify the course so as to shorten the school life of the child." It was thought possible, however, to exclude some unprofitable subject-matter and substitute that which was more vitalizing. But no distinction should ever be made which would react upon the elementary schools.

It is noticeable that at this time the individual rather than the group was coming to have consideration in the discussion of educational problems. This, moreover, was natural following the extremes to which grading and classification had necessarily been carried. The individual had temporarily been lost sight of, only to be restored to the right relation within the group in due time. The problem, in the language of Superintendent Sabin, was "not so much how to ungrade the graded school as how to ungrade the instruction."¹³⁹

But through all the discussion of these perplexing questions there was one conspicuous purpose, namely, the betterment of the rural school. First of all, it must be made so attractive and efficient in its own field and be able to offer such opportunities for higher training in that field that the migration of pupils from country to town would be discouraged. To bring this about a plan was said to be "in process of evolution" by which education would become so

identified with the environment of the learner as to dignify his own pursuit. In general that which is of most value to the individual will tend to raise the standard of the common benefit; but to secure and interpret this benefit is the work of no one person.

Among the final words of Henry Sabin to the school men of Iowa are these: "Our efforts will be futile until we continue in some way to stir people up to the magnitude of this question. Every child in the land is entitled to the best school privileges possible under the circumstances, without regard to race, creed, sex or color. We need in every State men like Horace Mann to go among the common people and preach the gospel of education."¹⁴⁰

VIII

CENTRALIZATION IN EDUCATION

IN the closing years of the nineteenth century Iowa was still claiming the advanced position in which the Commonwealth had been placed by the census of 1870 when it was credited with "the lowest percentage of illiteracy". On the showing made in 1870 the public for many years rested secure in the State's proud position in education, until it was shown that for twenty years preceding 1900 there was no justice in such pretensions. Nor is it necessary at this point to discuss the full meaning of the recent revelations as to the relative position of Iowa educationally among the States. In this connection it is sufficient to say that the claim to superiority can no longer be maintained.

There are certain movements in the field of instruction which one may classify as auxiliary: they are not such as make fundamental changes in procedure; they relate to the theoretical and are often short lived in the form in which they first appear. Iowa has had her share of movements which have commanded attention for a while, only to give way to that which was fundamental and evolutionary. Among the former the "child study" movement, rational or otherwise, was prominent about 1895. It

had efficient leaders and was recognized by teachers' associations as possessing merit if handled in the right way. At the same time there were those who believed that such miscellaneous efforts might possibly lead to conclusions which were far from the truth.

Then there was the "ratio method" or "Speer method" of teaching arithmetic, which was conspicuous about 1897. It was introduced much as was the Pollard system of teaching reading, that is, by experts who were drilled for the trade and gave exhibitions — especially during the meetings of teachers' associations. Certain cities, however, made special provision for local instruction. It became a feature of the summer schools and institutes; and, like many such inventions, it was used in some instances as a drawing card. Finally, to this list of auxiliary movements one might add the conferences between mothers and teachers, whereby mutual interests were to be discussed by both agencies in child development. From each new, or apparently new, adjustment it can not be denied that some good resulted.

There is a great difference, however, between such movements and the one inaugurated by Professor Jesse Macy in 1877, when before the State Teachers' Association at Cedar Rapids he presented a paper on *Political Science in the Common Schools*, in which he advocated the teaching of local government. While no societies were organized to promote this idea, nor were any attempts made to procure

followers, it is noteworthy that three years later the author of the paper was employed to give instruction in the civil government of the United States at the institute of Poweshiek County, and at his own suggestion was permitted to add instruction on State and local government. Since there was no text for the latter subject, Professor Macy devised a system of outlines. Interest in and attention to this subject in the schools of the State continued to develop from the date of the pioneer efforts of Professor Macy.¹⁴¹

The kindergarten likewise met a demand that was ready to adopt its methods as soon as its purposes were fully comprehended. While private support was necessary at the outset, its future was never uncertain. Legislation finally gave to the kindergarten an authoritative position which none probably expected at the beginning.¹⁴²

The time, however, had not yet arrived for that attention to the personal welfare of the pupil which arouses his interest, not only in reference to the form and material of instruction, but even assumes charge of his immediate physical condition. Indeed, it was necessary as late as 1894 to legislate the ordinary sanitary accommodations into the district school; for when it was learned that out of 13,000 school buildings about 2400 were deficient in this particular, the law was invoked as a remedy—a refuge indeed that sometimes appears to afford the only relief to a guilty public conscience.¹⁴³ The advance from such legislation to regulations governing the use of towels and drinking cups and to recom-

mendations governing the construction of buildings with reference to individual comfort and long life was gratifyingly rapid. It is necessary only to contrast the designs of common school buildings submitted by Mr. Thomas H. Benton, Jr., in 1848 with those incorporated in reports for the decade from 1890 to 1900 to be convinced of the fact that there has been much growth not only in attractiveness but also in conveniences.

With all these endeavors to make the school environment safe and to provide the best instruction there came the final act which made the schools wholly free — namely, the free text-book statute of 1896 which is more fully treated in a later chapter. The Governor of the State, the Superintendent of Public Instruction, and others expressed themselves as confident that this would aid materially in securing the regular attendance of those who were not accustomed to patronize the schools.¹⁴⁴

It may be well at this point to review very briefly the opinions of the sixty-six county superintendents who submitted their conclusions in 1901. The most important problem — which was by no means new — related to the supply of qualified teachers, which was the essential need of the time. The rural school was demanding recognition as never before, some writers declaring that it had been neglected ever since the graded and higher schools had been established. On the other hand, there were those who laid the blame for such neglect upon people who were not cognizant that any improvement was needed. Indeed, there

was said to be much danger that conditions would remain as they were until information of better ways was conveyed to the people. But just how to convey this information and make it effective was the problem.

Notwithstanding the expressions of regret at the slow progress observed in some quarters, one is impressed with the optimistic view of the reports which came from all parts of the State and from individuals who were conversant with the details of the educational work. Upon one proposition there seems to have been general agreement, namely, the necessity of abandoning the small school. Scarcely one of the sixty-six county officers uttered a word in opposition to the movement to consolidate districts having few pupils. The agitation was proving effective and leading to investigations relative to the benefits both economic and educational to be derived from such consolidation.¹⁴⁵

The sentiment of the State Teachers' Association on these fundamental questions was expressed in 1901, when that body endorsed the movement toward the consolidation of districts and the transportation of pupils, believing this to be the first step in the establishment of the township central high school. It was also the opinion of this Association that a reasonable compulsory attendance law would be advantageous, and that child labor should be forbidden. Higher education was not to be disturbed in any way, but it was most important that due attention be given to the elementary pupil who must first be

provided with training in the common English branches. The first great duty, however, was a united effort of all the forces of education to work for definite ends.¹⁴⁶

Although Governor Francis M. Drake declared in 1898 that he approved the plan of transportation when local schools were abandoned, another portion of his biennial message contained the following significant passage: "It seems indeed that the entire school law may remain unchanged for years to come without detriment." Two years later, however, Governor Leslie M. Shaw recommended that encouragement be given to township high schools through specific legislation. Furthermore, while such schools might not be needed in all localities there was no reason for the construction of any more single-room buildings. A graded school should be accessible from every farm. In such matters he declared that "economy is not the synonym for statesmanship".¹⁴⁷

The movement for consolidation was now on in earnest, and it was clear that experiment, investigation, and argument must continue until a satisfactory adjustment could be reached. The Superintendent of Public Instruction, Mr. Richard C. Barrett, made a special effort to obtain the sense of the public on this matter, since it was well understood that no successful result could be secured through legislation or local action without some popular demand. Some study had been made previous to 1900 relative to the enrollment and attend-

ance in the rural schools. It was shown that more than 330 districts had an attendance of less than five; nearly 3600 had less than ten; 6370 had less than fifteen; and 9300 had less than twenty. That is to say, more than one-half of the rural independent districts and three-fourths of the subdistricts had an average attendance of less than twenty. To provide teachers for all of these districts it was necessary to employ a large number of persons without adequate preparation. Further argument was unnecessary to demonstrate the fact that such a condition would lead to lower standards of instruction, and lower wages, since one-third of the 21,000 licensed teachers were granted third grade certificates.

It was to remedy such an unfortunate situation that the proposal was made not only to abandon the small schools, but also to improve the opportunities of rural communities at the same time. So long as conditions remained unchanged there must be limited resources, inadequate equipment, inexperienced instructors, no general opportunity for the introduction of modern methods, and no advanced classes. The opinion prevailed, it seems, that the farms must be abandoned if the desired educational advantages were to be had; hence the movement to bring into the rural communities the very things for which the farms were being deserted would aid some persons in solving the educational problem. In securing the establishment of this centralized form of school organization there were, moreover, customs and sentiments which could not be suddenly changed.

Among the county superintendents the plan of consolidation was almost unanimously approved, and for the following reasons: such an arrangement would secure better teachers; it would reduce the per capita cost of instruction in nearly every instance; a better classification would become possible; competition, enthusiasm, and a better spirit would prevail; supervision would be a fact; attendance, as was shown by actual results, would not only increase, but would be more prompt and regular; equipment would be better in all respects; comfortable means of transportation would insure better health; and finally the necessity of leaving home for higher instruction being removed, the young people could be kept on the farm, since the social environment would be greatly improved through a central township high school.

On the other hand, to destroy the district school was in the opinion of some a most destructive policy; while the transportation of pupils was considered as entirely impracticable owing to "bad roads"—an objection which none could pronounce invalid. Although there were other good reasons for opposing the change, the chief obstacle was an attachment to the immediate local institution, to overcome which would require more than mere suggestion or a few general propositions. Indeed, it was evident that the matter of expense alone would not in this instance count for much: there must be some greater inducement. Moreover, there was some fear that land would depreciate in the districts where the

schools were closed and appreciate in value near the central institution; while the long distances would deprive the home of the services of older boys and girls during terms of school. Another obstacle lay in the general antipathy to centralization. Some objected to the removal of the one democratic feature of the school system. Others questioned whether the change would be for the better in any way. And still others went so far as to profess great sympathy with teachers who would be deprived of their usual employment as a result of consolidation.

The more progressive communities, however, did not wait for the enactment of any new statutes, but here and there over the State experiments in consolidation were demonstrating its feasibility. As an instance of consolidation as early as 1901, one may cite the trial of transportation in four districts in Black Hawk County; while the entire township of Lincoln had already voted to construct a central school and to combine the nine districts. Buchanan County also had five districts where the plan was being tested; and a similar movement was reported from Butler County. In all of these communities sentiment favored the extension of the plan. Dallas County also furnished an example in Union Township, where for four years pupils had been sent to the village school. A useful suggestion was found in Jackson Township in Des Moines County, which contained but twelve sections and supported but two schools, whereas under the normal arrangement there would be at least three. In the winter of 1901-

1902 the authorities in the county of Dickinson ordered the closing of several district schools; while in Lloyd Township a central school had already been voted notwithstanding the usual objection of "bad roads".

The combining of schools had proved to be such a success in the township of Denmark in Lee County, that the patrons would not consider a return to the old system. Indeed, it appears that in those sections of the State where roads were not at certain times of year impassable there was general approval. Winnebago County furnished one of the pioneer examples in the consolidation movement in the schools of Buffalo Centre, which has served as a type for many others — some, probably, beyond the borders of the State. Although Johnson County had at this time three township high schools, these did not embody the general plan of consolidation which that term implies. It is evidence of a conservatism not easily overcome that in certain counties a single township led in consolidation, while in several others the plan was voted down. This was notably true in Pottawattamie County. In some others the votes against consolidation were as three to one.¹⁴⁸ Thus the movement was well under way more than a decade before substantial encouragement was given to it by the State.

In 1902 it was proposed to make further provision for the consolidation of districts by amending the existing law. The bill passed the House and was reported by the committee for passage in the Senate,

but got no farther. The main features of this bill would have given an opportunity for initiative on the part of patrons in securing an expression of the electors relative to the consolidation of two or more districts or of an entire township. It was a mild endeavor to support what was already a growing and in some parts of the Commonwealth an enthusiastic movement; but when compared with recent legislation it must be regarded as a conservative measure.¹⁴⁹

While the development of this movement in connection with district organization will be handled more fully in a later chapter it may be stated in this connection that by September, 1904, not less than thirty-five counties had some parts under consolidated organization. Moreover, it appears that in at least eighteen counties the arrangement in the districts was permanent, while in the remainder it was only temporary. Fifty schools were in the former group, while eighty were closed for but a year or more. Transportation problems were being worked out in a way satisfactory to the communities — considering always the condition of the Iowa roads, which were not always an insurmountable obstacle, as may be illustrated by reference to the township of Lake in Clay County. The adverse conditions in this township are best described in the language of the county superintendent, who said that “if some evil genius had been selecting a township in the fair state of Iowa for the trial of consolidated schools, he could not have selected one in

which the plan would have been better calculated to fail. Three large lakes from six to ten miles in circumference dot the landscape, and the township is covered with marshes [1903]. The roads are abandoned in some instances." Nevertheless, the undertaking was declared a success from the beginning.¹⁵⁰

While attention was directed to overcoming the difficulties relative to the small school, the teacher supply, and other vital matters, compulsory attendance was not forgotten. It had been a favorite subject with some for more than thirty years. Indeed, one may find it in the first report ever submitted by a commonwealth school officer in Iowa, namely, the report of Dr. William Reynolds in 1842. But compulsory attendance was actually made a part of the statutory law of Iowa in 1902. Thereafter the machinery of the public school system was charged with the enforcement of attendance upon all children between the ages of seven and fourteen for twelve weeks each year at some "public, private, or parochial" institution where the common branches were taught — unless, to be sure, they were excused under certain provisions of the law.¹⁵¹

This law, it may be said, was viewed by educational leaders to be "the most important single statutory enactment in recent years". Yet it was well known that its promise of increased efficiency rested entirely upon its complete enforcement; and like other efforts to secure the full profit from investment of capital or energy, the patience and

perseverance of men were the elements that would make success possible. The law was no sooner upon the statute books of the State than a question arose as to the twelve weeks attendance. When should this begin? Other difficulties in the way of enforcement were pointed out; but friends of the act declared that it was by no means considered "perfect in all its parts", and that changes would of course become necessary.

Measures were taken to secure coöperation in the application of the law; school boards were informed of their duty, and in many localities truant officers were employed. Thus a joint effort was made throughout the State to insure the twelve weeks schooling of the 9000 children between the ages of seven and fourteen who at that time were delinquent.¹⁵²

With the enactment of the compulsory attendance law, methods to make its enforcement not only possible but also simple were devised by some individuals who were responsible for its operation. Its interpretation was undertaken by the Superintendent of Public Instruction. The possible conflicts that might arise were adjusted. Certain districts made a careful census of those who were subject to the provisions and adopted a systematic method of following up habitual truants. It was seen at once that, since the act was not definite in its provisions relative to the period of attendance, enforcement was made much more difficult and uncertain. Moreover, twelve weeks attendance was considered entirely too

limited a period; and so, it was expected that at the first opportunity a recommendation to change this feature would be forthcoming. It was probably not anticipated, however, that the extreme limit of attendance for the entire school year, and until the completion of the eighth grade, would be suggested.¹⁵³

The Thirtieth General Assembly (1904) amended the law, but not to the extent recommended. The term of attendance was raised to sixteen weeks and was required to begin at the opening of school in September; while the appointment of truant officers in school corporations of 20,000 or more population was made mandatory.¹⁵⁴ Again, in 1909 the term of sixteen weeks was increased to twenty-four, with the additional provision that in cities of the first and second class school boards might compel attendance for the entire school year. Finally, by a law passed in 1913 the requirement might include unemployed persons up to sixteen years of age.¹⁵⁵

Another law of far-reaching importance relative to the certification of teachers was finally secured in 1906, but its provisions were by no means as free from criticism as those of the compulsory attendance act. And while it was pronounced by the best of educators as the first step in substantial progress toward giving teaching a real professional standing, there was much unfair criticism before the law was tried out or its good or bad features determined. That this act would tend toward permanency and stability in the teaching profession through State

recognition and the abandonment of the annual examination was clear to those who had labored for its passage as well as to others who approved of its provisions. Later it had to be patched like most statutes, but this was the only way to attain perfection.¹⁵⁶

It was in 1907 that the general demand for the revision and codification of the school laws — so frequently recommended as to have become commonplace — was yielded to in the provisions for the appointment of a commission for that purpose. This body was given full power to “rearrange, revise and codify” the school laws; and they were required to submit their report to the Thirty-third General Assembly.¹⁵⁷ The work was done as anticipated; but the report and accompanying recommendations met with poor support. Its failure was attributed largely to the fact that one law recommended included so many provisions theretofore under separate acts, and further to the radical changes proposed in organization. Thus the *third Iowa school commission* met a fate not unlike that of the second commission in 1856.

The next effort to secure legislation through a definitely organized commission originated in 1911 at the annual meeting of the State Teachers' Association, when by unanimous vote \$2000 was appropriated to cover expenses incurred in a careful study of current legislation and educational problems and to provide for the submission of recommendations to improve the school system. Accordingly, one year

later certain definite plans were submitted to the Association for approval and then to the General Assembly for consideration. More than the ordinary success followed this plan, resulting in some of the most important legislation relative to schools since the passage of the fundamental act of 1858. While there was practically nothing new proposed at this time, its presentation was somewhat original. Furthermore, there was present something of old-time spirit which marked the meetings of the State Association when it assumed the responsibility of paying bills incurred in furthering the cause of the general public interests — when, indeed, its members paid from their own pockets the obligations that the treasury could not meet. Thus, the “Better Iowa Schools Commission” — the *fourth Iowa school commission* since 1838 — had strong support and was armed with the best of credentials when it came before the General Assembly in 1913.¹⁵⁸ Its accomplishments for education will be considered elsewhere in connection with the legislation of the Thirty-fifth General Assembly.

The Thirty-fifth General Assembly made some revolutionary changes in 1913, since by its enactment the State Superintendent of Public Instruction becomes an appointive officer with larger powers and more assistants to carry these powers into effect. The county superintendent will likewise be selected under a new plan — through a convention of school officers. Under the new legislation consolidation is encouraged, more substantial aid is extended to high

schools offering normal training, and at a fixed time a minimum amount of training must be had before any certificate can be obtained. A minimum wage scale is established, and a higher levy permitted for the teachers and contingent funds. These, with some minor provisions relative to instruction and administration, are indicative of the large place that educational interests occupied in the deliberations of the Thirty-fifth General Assembly.

There were, moreover, other important measures before the Thirty-fifth General Assembly, among which was that old and time-worn subject, "the township as the district unit". Although this measure failed of enactment the problem will yet be settled after the original plan, when the small district will be eliminated. The teachers annuity bill met the same fate as that providing for the township as the district unit. But it, too, in due time will become a statutory provision in harmony with demands that are nation-wide.

While these changes were maturing in the minds of the people, the State of Iowa was losing in school population more than 50,000; and since, during the same period, the urban districts had increased in school population the loss must have been in rural communities. Moreover, during the same time — the decade from 1900 to 1910 — the losses in total enrollment in all rural districts and in independent town districts of fifteen hundred or less reached nearly 60,000, although the enrollment in towns above fifteen hundred had increased. But with all

this apparent loss in the common schools, it is recorded that the attendance in higher institutions had increased twenty-five percent. Expenditures in support of public school instruction alone had risen by more than \$2,700,000; while estimated building values were \$10,000,000 greater.¹⁵⁹

For these results no single agency can be credited with its just portion, since the influence of all the factors which entered into producing them is felt as one, whether for advancement or retrogression. The public press is ready to approve and to find fault, and it may well be commended for its general support. Many years ago it was said that "the educational forces of Iowa are under constant obligation to the newspapers of the different localities. The influence of the public press has ever been strongly and persistently in favor of the continued improvement of our schools."¹⁶⁰ That some journals were pointing to weaknesses in the public school system is but evidence that greater efficiency was demanded — although it was recognized that there were limits to the service of any public institution.

The immediate service, that which deals with the growing part of a public school system — namely, the teaching body — must always hold the chief place in the actual administration of education; while the deliberations of governing boards make such service in instruction possible. Sometimes the question is asked, what is the authority of the common people in this tendency toward centralization in State, county, or local organization, and what may

result if their interests are too fully directed by influences from above? This must be answered from experience. If the results are unsatisfactory a reaction will soon remedy the difficulty. The people, it would seem, must always in the long run determine the limits of education in any State.

PART II
THE PUBLIC SCHOOL FUNDS

IX

THE PROSPECTIVE SCHOOL ENDOWMENT

AN account of the provisions made not only by the State but by the National government as well is essential to an understanding of the sources of school support from the organization of the Territory of Iowa down to the present time. While the greater part of the funds now raised for the support of the schools comes through direct taxation, this has not always been the situation. Indeed, it may be said that the general approval of such methods of support is quite recent. The proposal to set apart a portion of the public domain as a permanent endowment for education, as provided in the Ordinance of 1785 and as reënforced by the Ordinance of 1787, was new only as to the systematic plan and the large scale on which it was finally carried out.

By the provisions of the Ordinance of 1785 the sixteenth section in each township of the government surveyed lands was set apart for the support of public schools. Originally the twenty-ninth section in certain land purchases in Ohio was also granted for religious purposes, as well as two townships for a university.¹⁶¹ But in this connection the sixteenth section is the grant to which attention is directed; and while much of interest is found in

events leading up to this remarkable Ordinance, the present study must be confined to subsequent developments — more particularly to facts connected with the immediate interests of this State.

There is, moreover, a very close relation between the methods pursued in Ohio and Michigan and those adopted by the original Territory of Wisconsin (of which the Iowa country was a part) and the Territory of Iowa. Indeed, the provisions made in Ohio and Michigan — first, for the special care of the sixteenth section through township trustees and a treasurer, separate and distinct from the civil authorities, and later for the establishment of the office of superintendent of common schools whose chief duty was the care of this property — seem to have been duplicated, in a measure, in Iowa.¹⁶²

The public lands reserved for the purposes of education, whether for common schools or advanced instruction, were said to be a prospective source of income only, since “value must be given them by the settlement and improvement of the country, and in the meantime they would constitute the promise of an endowment for education rather than the endowment itself.”¹⁶³ It was therefore evident at an early day that either the individual must pay his proportion of the cost of instruction or a public tax must be instituted to provide for a school system. But the latter plan could not be expected to prove successful in sparsely settled regions.

In 1827 and 1829 the Michigan law required the districts to consider plans for school buildings with-

in a limited time and to assess the cost of the same upon the inhabitants — which amount became collectible within sixty days. There was a provision, however, whereby such an assessment might be commuted in “work, or materials for the building of such school-house.” Collection could be enforced by the sale of goods or lands as in the case of any other tax, while expenditures could be made only for a building. The maintenance of the school depended upon other assessments on the “polls and ratable estates”, which should be collected as other county and township taxes. The amount thus raised through direct taxation was to be apportioned by the township supervisors and township clerk among the several districts according to the number of children between the ages of “five and fifteen”. Moreover, this sum must be applied in paying the wages of teachers and for no other purpose. Thus school buildings and instruction were in part, at least, provided for by taxation, while the fuel was to be supplied by those residing in the district. It is noteworthy that due care was taken of those who were unable to furnish their apportioned share of wood, since they were not on that account denied school privileges.¹⁶⁴ In these provisions one may see the funds classed as “building fund”, “teachers fund”, and “fuel”. But it is a simple matter to class fuel as “contingent”, and then the classification is the same as in the laws of Iowa.

The “rate bill”—a method of supplementing the meagre tax for the hire of teachers—came to be

employed in all new settlements. The people were thus accustomed to provide for their portion of the cost of instruction, and in proportion to their enjoyment of its privileges. There was, however, a friendly, not to say charitable, feeling toward those who could not afford to pay their share; and in the school law of Michigan it was provided in 1829 that if there were those unable to pay, the directors were authorized to apportion their schooling upon the entire district. On the other hand, if there were those who were able to contribute but refused to do so, such persons might be deprived of all school privileges until the assessment was fully met. It was at this time (1829) that the fund for fuel came to be assessed as a "rate bill" also, although its payment could be commuted by supplying the proper proportion of the material when the patron was duly notified. It may be noted here that families who resided "so far from the general settlement" that they could not take advantage of the school provided in the district were not subjected to taxation for its support.¹⁶⁵

During the period that such adjustments in local conditions were being made, the public lands set apart for school purposes were cared for by the local officials to whom the duty was assigned; but it appears that more definite instructions relative to their management were incorporated in the Michigan law of 1833 — the act in force when the Iowa country was attached to that Territory in June, 1834. These provisions of the law made it the duty of the three

township school commissioners to lease or manage the school lands in the most suitable way to produce the greatest possible return and at the same time to increase their market value — thus protecting the permanent endowment while securing the greatest amount of return for distribution.¹⁶⁶

With the establishment of the two original Iowa counties, Dubuque and Des Moines, and the organization of each as a single township in 1834, it may be assumed that the school lands came under the jurisdiction of the civil authorities therein, according to provisions in the Territorial laws of Michigan; and while time was necessary to bring about results from such legal provisions the actual records of later years are indicative of the procedure which would have followed immediately upon a demand for the use of the school lands. It is apparent, moreover, that the principle of lease and improvement was to be followed in those days rather than the method of sale and investment of the proceeds.

One may pass hastily over the period from 1834 to the enactment of the first law by the Territory of Iowa in 1839. During those years little attention was given to the sixteenth sections which for the most part were unsurveyed. The schools that existed had little or no other support than that of private contributions from patrons. Nevertheless, one can not ignore previous laws and declare that they have not influenced the management provided in the legislation which became necessary as soon as the time arrived for action.

Scarcely had the Territory of Iowa been organized when memorials were hurried to the Twenty-sixth Congress praying for school lands for the Half Breed Tract; for authority to sell the sixteenth sections; and for donations of land for seminaries and literary purposes. Mr. W. W. Chapman, the Delegate from the Territory, was kept busy presenting such requests — all of which were referred, of course, to the committee on public lands.¹⁶⁷

In the school law passed at the first session of the Legislative Assembly of the Territory of Iowa it appears that no reference was made to the school lands; and the only provision for funds left the entire matter to the voters of the district in meeting assembled. Here any voter might propose a sum to be levied until a majority was secured for some particular amount. The tax thus agreed upon was made collectible in "cash or good merchantable produce at cash price", but it could not exceed one-half of one percent nor amount to a greater sum than ten dollars per annum for the individual taxpayer.¹⁶⁸ Later, in 1840, provision was made for the care of the sixteenth section by which the county commissioners were constituted "the trustees of the school lands in their respective counties" and authorized to prosecute any person trespassing upon the lands committed to their care. Furthermore, penalties in the form of imprisonment were placed upon the removal of minerals or wood from these reserved sections, unless done under a formal lease by which necessary firewood and material sufficient to make improvements might be used.¹⁶⁹

That this act was observed is evidenced by the records of Des Moines and Dubuque counties wherein the commissioners exercised their statutory authority. For example, in Des Moines county in 1843 the district prosecutor was instructed by the commissioners to institute proceedings against all trespassers upon school lands. Not only were such instructions given, but an indictment appears to have been found against an individual for trespass upon section sixteen in township seventy-one north, range four west. The offender appears to have escaped, however, by paying the costs in the case; for it is recorded that the "indictment would be passed" by the court if the costs were met. In another instance a petition was received from one Robert Chalfant "for remission of fine" for trespass upon section sixteen, which shows that the authorities were endeavoring to enforce these provisions.¹⁷⁰

An instance of guardianship of a somewhat different form is drawn from the records of the county of Dubuque in 1844 after the organization of townships. It was on January 18, 1844, that section sixteen, township eighty-nine north, range two east, was leased to Mr. W. G. Stewart, who was granted permission to work the "mineral range" found in that section. According to the terms of the contract he was required to deliver to the trustees of that township one-tenth of the first 20,000 pounds raised, one-ninth of the next 10,000, one-eighth of the next ten thousand, one-seventh of the next ten thousand,

and one-sixth of the balance. With that understanding the clerk of the board of county commissioners was instructed to draw a contract between the said Stewart and the township trustees, and this agreement was to remain on file in the office of the clerk of the county board.

Again, in the same county section sixteen in township eighty-eight north, range three east, was re-leased, although the work done upon it by Louis Blow and F. Galaneau appears to have been without authority. The terms in the new contract called for the delivery of one-sixth part of the first 20,000 pounds raised, one-fifth of the next 30,000, and one-fourth of the remainder; and in 1846 the commissioners ordered their clerk to notify Harlo Glass and another Glass to cease working, digging, or carrying away any lead ore, timber, or other material from section sixteen in this same township on the ground that these men had failed to comply with the terms of a contract.¹⁷¹

To these illustrations one may add another from Scott County, where about 1843 one Nathan Newby was appointed to supervise the school section in Davenport Township. For his compensation he was allowed as much of the fallen timber as seemed necessary for his private use; but he was restrained from cutting away green or standing trees. There is also a record, in 1845, of a payment for services to an agent for the school section in township seventy-nine north, range two east, in the same county.¹⁷² In a similar way, it seems, others of the

first surveyed counties must have proceeded until the Territory became a State and a definitely chosen officer had charge of the school lands in the county.

Reference has already been made to the provision for a district fund in the law of 1839; but as stated in a previous chapter these provisions were not satisfactory and the new law passed in 1840 permitted the levy for a building up to an amount not to exceed five hundred dollars in any one year. By this statute also an additional tax for contingencies, fuel, and repairs was authorized — the fuel tax being apportioned according to attendance. But when it is remembered that this law was taken verbatim from the *Revised Statutes of Michigan*, one may perceive the continuation of the three-fund idea which now became a part of the law in the Territory of Iowa.¹⁷³

With the law establishing the office of Superintendent of Public Instruction the responsibility for the school fund seems to have been definitely located, although the income from the permanent endowment was probably a negligible quantity in 1841. Nevertheless, the law required him to apportion the amount among the school communities in proportion to the number of persons of school age — those between five and twenty-one. Through the Territorial Superintendent of Public Instruction and the Auditor, the clerks of court in the several counties, and the clerks of the township inspectors the interest on the permanent fund was expected to reach the point of actual use in furthering the education of the district school pupil.

Although Dr. William Reynolds — the first and only Territorial Superintendent of Public Instruction — was in office less than one year, he submitted a report in which it was declared that “schools must cost money, and if we would have good schools, then money must somewhere be raised for their support.” He had observed that, while American citizens did not pay their school bill grudgingly, there was nevertheless an apparent disposition everywhere to oppose taxation; and it seemed to be true that they would gladly pay “five dollars in any other shape rather than one by tax.” He was an advocate of taxes, however, and made the observation that “nor will the amount paid for schools, even were they altogether supported by direct taxation, (a course I have no disposition, at present at least, to advocate) make us a whit the poorer. It would be putting our money out of our hands into our pockets for safer keeping.”

From the contents of this report it is clear that in 1841 inquiry was being made as to the best means of creating a permanent school fund. It was not anticipated, however, that any action would then be taken, but it was considered important that all should be “prepared to think about it.” Accordingly, it was pointed out that there were within the surveyed limits of the Territory of Iowa in 1841 approximately three hundred and twenty sections of school lands which would come into the possession of the State when admitted into the Union. Thus, there were something more than 204,000 acres of school lands in

Iowa, three-fourths of which could be considered as good salable land, worth, it was estimated, not less than five dollars an acre if sold on long credit. But since there was no good reason for forcing this land into market, it might be sold as "discretion" seemed to require. It was pointed out, further, that the 150,000 or more acres would, at the price named, amount to nearly \$770,000, which at ten or even at six percent would yield an income of from \$46,000 to \$76,000 annually. To this "handsome income" there would be added the percentage on the sale of the public lands as well as the sums arising from minor sources specified in the law of 1840.¹⁷⁴

Following this report, which was made in December, 1841, the Legislative Assembly attempted to pass a bill to create a permanent school fund. The proposed measure passed the House, but was postponed in the Council.¹⁷⁵ And this action seemed to fit in with the declaration of the committee on schools that the failure to support a school system in other States was due more to a want of interest than to any lack of a school fund.¹⁷⁶ At the same time it appeared to Governor John Chambers that there was even then a great waste in management, since the school lands in almost every township were wholly neglected. Indeed, they were trespassed upon and plundered to their great damage, although their value for education could not be too highly appreciated. He recommended, therefore, that the county commissioners in every

organized county be compelled, in every instance where such lands were found in the possession of unauthorized persons, to recover them by permitting the occupants to become tenants under the proper agreements. Furthermore, where such lands were unoccupied the commissioners should be required to protect them and to provide for their improvement whenever it was practicable.¹⁷⁷

It was not, however, until 1844 that additional penalties were prescribed for trespass upon the school section. By an act approved on June 19, 1844, the county commissioners of each county were constituted a "board of trustees for the Territory of Iowa", whose duty it should be to protect school lands; and they were authorized to bring suit for damages and to collect fines in such cases equal to treble the amount adjudged by the court. While it would seem suitable that such fines should become a part of the common school fund, it was nevertheless provided that the general Territorial revenue should be benefited by such collections.¹⁷⁸

Thus, while the Territorial period was practically barren of accumulated funds for school purposes there was the promise of large resources in the Federal grant of a single section in each township. This prospective endowment consisted of more than a million acres, which by the provisions of the grant must be used for the support of public schools. It included without exception the sixteenth section in each township, or, in case that was not available, an equivalent amount. Moreover, the

memorial relative to lands in the Half Breed Tract, presented to Congress through Delegate W. W. Chapman in 1839, was acted upon in 1842 by voting the desired appropriation.¹⁷⁹

X

MISMANAGEMENT OF THE SCHOOL FUNDS

ARTICLE X of the Constitution of 1846, under which Iowa became a State, provided specifically that the proceeds of all lands granted for the support of public schools — that is, the sixteenth section grant, the five hundred thousand acres originally distributed to each new State by the Congressional act of 1841 for purposes of internal improvements, and all unclaimed estates, as well as the percent which the government might allow on land sales within the State — should become a perpetual fund, the interest on or rents from which should be applied to the support of public instruction. To this income there might be added, also, the fees paid for exemption from military duty and the clear proceeds of all fines imposed for the breach of the laws of the State. The provision relative to the five hundred thousand acres had to be ratified by Congress before it could be turned aside from its original purpose, but this was done in the act by which Iowa was admitted into the Union in December, 1846,¹⁸⁰ and supplemented by an act approved in 1849.

Whatever school funds, permanent or temporary, had accumulated in the hands of the duly authorized holders previous to the legislation of the First Gen-

eral Assembly were "stayed" there by an act approved on December 14, 1846. This, however, appears to have been a temporary expedient in order that information might be obtained relative to the just apportionment of such funds, since on January 19, 1847, another act gave directions for the distribution according to law—that is to say, under the supervision of the clerk of the board of county commissioners.¹⁸¹

According to the provisions of the law of 1847, amending the statute of 1840, a county school fund commissioner became responsible not only for the school money but also for the management of the lands granted for school purposes. His duties included (1) the loaning of the permanent fund in sums of not more than five hundred dollars to one individual, and for a term not greater than five years, at a rate of not less than nine percent, and (2) the distribution of the fund arising from interest or rent, as well as that raised by the tax for which the law provided. The county school fund commissioner had no discretion in these matters, nor in the procedure relative to the fund distribution on March 1st annually, when he should summon to his assistance any two township inspectors within his county and proceed to apportion the available amount to the several townships according to the number of persons of school age as shown by the last report of the inspectors.¹⁸²

The actual working of the act of 1847 is evidenced by transactions in Lee County in 1848, where under

the auspices of the county school fund commissioners and two inspectors the annual distribution was made to sixteen townships. The record designates the inspectors who from the several civil townships received and receipted for the amounts set apart for their benefit; while the signatures of W. Steward, fund commissioner, of John Woodman, inspector from Pleasant Ridge Township, and of A. Chatterton, inspector from West Point Township, certify to the correctness of the procedure.¹⁸³ These acts, moreover, were in accordance with the requirements of the law. A similar transaction occurred in Johnson County in 1847, when ten townships received the proportion due them according to the number of persons of school age within its borders — the largest amount being \$170 for a township reporting four hundred and thirteen persons between the ages of five and twenty-one; while the smallest received \$16.50 for an enumeration of forty persons. Since one township failed to report it had no share in this apportionment.¹⁸⁴

The Constitution of 1846 required the General Assembly to provide for the election of a Superintendent of Public Instruction. That the duties of this officer came to be more clerical than supervisory is evidenced by the fact that his functions relative to the school fund and the records connected therewith continued to be the important part of his public work for many years. Here again there seems to have been a repetition of the legislation of Michigan which made this officer the responsible head of the

school finances. When his duties came to be specifically defined they included the preservation of all records having to do with transactions of the county school fund commissioners and the disposition of school lands, all of which records were open to examination at any time by "any committee of either House" or by the Governor. Not only was the Superintendent of Public Instruction charged with these duties, but he was also the distributing agent for the interest on the permanent fund as it accumulated and was returned by the fund commissioners.¹⁸⁵ These facts will assist in making clear the frequent references to the office of Superintendent while the school fund is under consideration.

It was early in 1847 that the General Assembly passed an act providing for the allotment and sale of the sixteenth section. It then became the duty of the township trustees to examine and to divide these tracts into such parcels as in their judgment would best suit purchasers and at the same time increase their value. The interests of settlers were cared for in the act, and yet due provision was made to prevent loss and waste. When all the preliminaries had been completed, the fund commissioner was authorized to sell the land to the highest bidder; but no sale under the appraisement could be for less than \$1.25 per acre. In all the sales of these lands the terms were one-fourth cash and the remainder on a credit not to exceed ten years with interest at ten percent. Thus, if a man paid the minimum price of \$1.25, he would secure a quarter section for two

hundred dollars, and by paying fifty dollars cash he would be allowed ten years on the balance. It may be added that the minimum was the prevailing price, although in Johnson County sales ran as high as fifteen dollars per acre, while the amount sold from 1847 to 1852 totaled 2379 acres, for which \$1477 in cash and \$4314 in credit were received. All transactions where credit was present were reduced to writing and may be found in the records of the county school fund commissioners. It should be observed, further, that if the fund commissioners deemed it unwise to sell any of these lands on credit on account of losses that might result from the removal of timber or other products of value, they might demand the whole purchase price at once or security sufficient to cover the risk.

The statutes of 1847 made provision also for the sale of the 500,000 acre tract which, having been selected under the direction of the Superintendent of Public Instruction, was subjected to the same general control in the counties as the sixteenth section. There was, however, this difference, that only one-fifth need be paid in cash while the balance had ten years credit. Direction was given, furthermore, that the five percent on the sales of public lands — which, although originally intended by the general government to be employed in the construction of canals and public roads, had been diverted to the purposes of education — should be paid into the hands of the Superintendent of Public Instruction and by him disposed of according to law.¹⁸⁶

Thus it would appear that the legislation looking toward the preservation of the prospective permanent endowment for the partial support of public instruction in elementary schools was quite sufficient so far as the machinery necessary for its management was concerned. But one need not go far to discover that errors were made, either through the want of foresight, the selfishness of men, their carelessness, or even their plain dishonesty. Whether any better plan could have been adopted at that time, by which the large number of officers and the decentralized system could have been avoided, can not now be considered; but later revelations point to the conclusion that the arrangement made was not wholly desirable.

It was declared by Superintendent Thomas H. Benton, Jr., in 1848, that the fund law then in force was a failure from the standpoint of efficiency and economy. For example, there were then thirty-two organized counties, each having a school fund commissioner; and of these very few had reported to him anything of the contingent expenses and salaries which the law allowed the county commissioners to determine. It was estimated, however, from facts which were available that the cost of caring for the fund and selling the lands amounted to not less than \$9000 annually — an amount that would increase as new counties were organized. Furthermore, with business so scattered there was great liability to losses through bad management, and if once the accounts became complicated it would be next to

impossible to rectify errors and make a settlement. In this warning one may discover a prophecy of what actually occurred and which will become obvious as the history of the funds is traced.

Superintendent Benton recommended that there be appointed a "State School Fund Commissioner", who should have charge of all matters relative to school lands and funds, the different items of which have been described. By this plan it would have been possible to relieve the Superintendent of Public Instruction of his responsibility, not only in the general care of the lands, but also in the details of county operation in the management of the school funds. At that time the total permanent fund was estimated at about two million dollars when all the lands were sold — an estimate based, of course, upon the appraised values at that time.¹⁸⁷ Had Mr. Benton's recommendation been adopted it is quite clear that the Superintendent of Public Instruction would not only have been given an opportunity for strictly educational work, but the system would doubtless have proved profitable in a large saving to the permanent fund.

It was in 1847 that the general act relative to common schools required the county commissioners to levy a tax of "not less than one-half mill nor more than one mill" for the support of common schools. At the same time "all moneys" necessary for the erection and furnishing of school houses must be provided for through "voluntary subscription".¹⁸⁸ While the law clearly intended this tax for the tem-

porary and not for the permanent fund, there were instances where it was loaned as part of the latter and where difficulty was experienced thereafter in correcting the records.

The "subscription" school house was no longer necessary after the special session of the General Assembly in 1848; since an annual school house tax up to five hundred dollars in each district was then authorized by law. Moreover, this tax was controlled entirely by the district in its assessment, levy, and collection — which shows the democratic character of the institution.¹⁸⁹

In the same year, 1848, Superintendent Benton made application for the first installment of the five percent fund due the State from the sales of public land — moneys which had been diverted to the permanent school fund. He was informed, however, that this could not be done without further legislation; and so he appealed to Iowa's representatives in Congress, receiving much encouragement from Senator George W. Jones. It appears that in March, 1849, an act of Congress cleared up the difficulty; and the first installment, amounting to approximately \$16,500 was soon delivered to the Superintendent of Public Instruction. He in turn handed this amount to the Auditor of the State as a loan to the Commonwealth, in accordance with the provisions of an act approved on January 12, 1849.¹⁹⁰

This first installment being for the year 1847, the Superintendent again during 1849 drew \$9100 of the

1848 installment — of which amount \$6000 was borrowed by the State to meet necessary expenses in constructing the penitentiary at Fort Madison.¹⁹¹ The balance of \$3100 remained in the hands of the Superintendent of Public Instruction and was fortunately available to meet the expenses of running the southern boundary line as agreed with the State of Missouri. Governor Ansel Briggs was placed in an embarrassing position on account of the failure of the General Assembly to make any appropriation for this purpose. Whereupon the Superintendent of Public Instruction “ventured to loan him the sum of \$2000 for the purpose.” For this amount the Governor gave his personal note, payable in two years at ten percent and secured by a satisfactory bond of five thousand dollars until the State should provide for his relief.

But this action still left a small amount to be distributed to the several counties. Now it was learned that in some counties the county school tax had been loaned, while in other counties payments had to be refunded where the selections of land had not been approved by the government. It being deemed advisable to meet these demands and correct the errors, only five counties were able to participate in the distribution. After this was done, however, there yet remained about \$350, which the Superintendent of Public Instruction advanced to Mr. H. B. Hendershott, the Iowa Commissioner in the boundary survey, to be used by him in addition to the \$2000 loaned to Governor Briggs. The loaning of

this money to the State was without any sanction of law, and it was so recognized at the time.¹⁹²

In November, 1850, another installment of the five percent fund, amounting to \$5700, was received. Immediately the greater part of this sum was distributed among the counties, there to be loaned as other funds. Thus up to and including the year 1850 about \$31,000 had come to the State from the five percent fund; and most of this, as shown above, was borrowed by the Commonwealth at a ten percent rate.

Attention should also be directed to the fact that about this time a controversy arose over this fund because of the custom, then becoming common, of locating land under the so-called military bounty land warrants. The five percent, it appears, was not returned on such lands, but only upon the regular entries. From 1847 to 1850 nearly 2,000,000 acres were selected on which no five percent would be received by the State—unless, indeed, Congress could be induced to interpret the original act as the authorities of the State understood it. Nor was the controversy settled without a determined effort in the years that followed to secure the whole amount.

Previous to 1850 less than 25,000 acres of the 500,000 acre tract had been sold, while about 400,000 had been selected by the appointed agents. Up to that date also less than 75,000 acres of the million or more of the sixteenth section grant had been sold, from the proceeds of which about \$70,000 in cash had accumulated in the loans of the permanent fund—

the total at interest, including credit on land sales, being reported as approximately \$280,000. It was declared then that the average of the sixteenth section sales was \$2.20 per acre.¹⁹³

James Clarke, the last of the Territorial Governors, had called especial attention to the need of legislation protecting the value of the school lands. He questioned, furthermore, the advisability of selling these lands so early in the development of the State. But if such sales were made, the utmost care should be taken to avoid an insecure investment of the proceeds. On the other hand, if the lands were held, some authority should lease the untimbered portions. It appears also that Governor Clarke was aware of the early custom in other States of confining the proceeds of the school section to the benefit of the township in which such section was located; for he cautioned the General Assembly against such a policy, believing that justice could be done only by distributing the income according to the population, otherwise some townships might be excluded from benefit owing to the poor quality of the land, since all of these sections were not of equal value.¹⁹⁴

That withholding the lands from sale for a few years would enhance their value was freely granted by Superintendent Benton; at the same time he pointed out that there was great need of immediate returns from the permanent fund so that schools might be developed. At that period it was shown that if the remainder of the 500,000 acre grant was

sold it would produce more than \$595,000. This, moreover, would in five years return a fund of nearly \$298,000 to be distributed for the support of schools. Thus, if a delay of five years would increase the market value of the lands, it was also true that the use of almost \$60,000 annually would be forfeited. In the case of the sixteenth section lands it was agreed that, owing to the method of selection and the delay connected with their coming into market, it might be better to postpone the sale thereof. Then, as to the quality of some of the land included in the 500,000 acre grant, it was shown that where agents had fixed a value at \$1.25 per acre the land was of the best quality, "generally combining the advantages of timber, water and prairie"; and where values were held above that sum per acre "coal and plaster of Paris" were abundant.

The caution of Governor Clarke relative to the investment of the accumulating school funds seems to have been observed when in 1850 Superintendent Benton declared against the use of such money in the construction of railroads. Although there could be no risk in loaning to a company where a part of the road was already completed and in operation, he thought that for the State to use the school fund in buying stock in such a corporation, on the expectation of return in dividends, would hardly be considered a safe investment. There was another reason, also, for holding such investments to be injudicious, namely, the local nature of the benefit derived from the railroads, which might lead to disapproval by the people of the State who were not served.

It was at this time that a suggestion of the plan, which in principle was finally adopted in Iowa, was made through reference to the practice of Michigan under a law of 1837, whereby a portion of the school fund was loaned to counties that might wish it. Such investments, it was declared, would not only be safe, but they would probably be of considerable advantage to the counties. The county would then, to say the least, become responsible for the entire loan.¹⁹⁵

Judging from these facts it would seem that there was little conception of the real meaning of school support or of what part the direct tax would play in the educational growth of the State. Surely the income from a few hundred thousand dollars would not have been considered as of such prime importance, nor would the sale of the lands have been urged at so early a period if the small proportion that these sums would bear to the whole support fund had been fully realized. It is interesting to note that the amount distributed in 1849 per capita of persons of school age was not far from that of 1913.¹⁹⁶

One is not surprised to find that in the beginning there was much confusion with reference to the various funds designated in the Constitution — all of which, under the law of 1847, came into the hands of the school fund commissioner for distribution. It has been stated that the county tax was in some instances made a part of the permanent fund and loaned as such. Then the minor funds such as fines,

sales of estrays, and grocery licenses (that is for the sale of liquor) were included in the general loan fund; while the interest on this fund alone was considered as available for the support of schools. Governor Ansel Briggs in his first biennial message in 1848 called attention to this fact and declared that it was the intention of the Constitution to apply the principal of these funds, as well as the interest on the permanent fund, to such purposes.¹⁹⁷

By the supplemental school act which was approved on January 15, 1849, the Superintendent of Public Instruction was thereafter required to examine the books and accounts of the school fund commissioners. Since there were at that time about forty of these commissioners and their books included hundreds of transactions involving contracts, one may readily see how such an examination by one officer would necessarily be more or less perfunctory and superficial — especially when his other duties were numerous. The duty of inspection had been only partly performed at the close of the year 1850; but in two instances the commissioners had resigned because of the faulty business methods or discrepancies discovered in their accounts. At the same time it was shown that the “looseness and inaccuracy” in the documents made it impossible to secure a correct account of what the school fund at interest really was, while there was no sufficient record by which the amount of interest collected and “the objects to which it had been applied” could be ascertained.

For example, in a number of counties no statement of the amount paid for the salaries and the contingent expenses of these fund commissioners was presented. Although the report for the entire State included but \$163 as the contingent expenses of commissioners, it was well known that nearly half that sum was actually expended in a single county. Furthermore, by provision of the law of 1847 each land contract included a bonus of one dollar; and yet from this source the reports from the forty counties showed but a little more than \$700, while it was a matter of record that Henry and Van Buren counties alone had received nearly \$300 on this account. These facts were presented at the time, not for the purpose of finding fault but to point out the dangers of the whole system, which was considered more to blame than were the several agents who were responsible for its administration.

It was evident, also, that the permanent fund itself was being diminished through the interpretation of the act by which the commissioners were to be compensated. Under the first act passed subsequent to the adoption of the Constitution the commissioners were to be paid "out of the school fund"; but all were not agreed as to whether this was to be taken from the "principal", or the "interest", although in the majority of the counties it was paid from the "principal". It may be said, however, that this amount was afterward refunded from the interest so that the original provisions of the land grant should not be violated. Later, by the act of

1849, the salaries of the commissioners were made payable from the county treasury — an act, it was said, entirely unjust both to the county and to the school fund commissioner, since the duties performed were general in character and in their performance the entire State was interested.

From the above brief summary of actual conditions it is but natural to pass to the proposed remedies for apparent errors, not only that the progress in school matters might be more definite but also that the State might be protected from greater losses as the permanent fund accumulated. It was noted above that Superintendent Benton had recommended that provision be made for a State School Fund Commissioner. To that suggestion the General Assembly did not respond. The objections urged against the suggestion were two: (1) it would be inconvenient for purchasers of land, and (2) it would "concentrate too much power in the hands of one man". On the other hand, it was pointed out in the second recommendation relative to this matter, which was made in 1850, that some county officer could readily act as the local representative of the Commissioner, with whom notes and contracts could be deposited and to whom payments could be made.

Nevertheless, if the proposed change should be considered too radical, its advocates would not insist upon its adoption, but would submit as the "next best plan" the union of the existing office of school fund commissioner with that of some one of the other permanent county offices. What particular

office should thus be combined with that of commissioner was of little consequence, provided the service was prompt and efficient in meeting the growing business which then amounted in some counties to \$20,000 and would soon reach \$50,000 annually. Some officer other than the State Superintendent of Public Instruction should supervise the work of the county officials. Indeed, it was thought that, in the event of the establishment of a "State Land Office", all transactions relative to the school lands could properly be transferred to that office. Moreover, it was declared to be no part of the duties of a department of education to manage such financial matters beyond the apportionment of the annual interest upon the permanent fund. To adjust these functions so that the school fund might be profitably and safely managed was held to be the most difficult task confronting the Third General Assembly. Moreover, it was regarded as an auspicious time to make a change in a system that was at once "inadequate and defective".¹⁹⁸

Governor Briggs, it seems, did not approve the proposed plan of Superintendent Benton to abolish the office of county school fund commissioner. He doubted the ability of one State officer to manage the business as recommended, since, in the opinion of the Governor, the duties of the school fund commissioner in each county were "arduous and complicated".¹⁹⁹ Thus, it was apparent that men in authority were not agreed on policies relative to the management of the extensive endowment in lands;

while the period was marked by mismanagement and probably, if the truth could be ascertained, by large losses to the school fund.

By the general school act of 1849 the office of township inspector, through whom the funds had been distributed to the districts, was abolished. The duties relative to funds, theretofore performed by the inspector, were now assigned to the school fund commissioner. There were also some specific instructions directing the loaning of the permanent fund, whereby such security was required as to make it impossible for any loss to occur, except through the negligence of officials. If two personal securities and a mortgage of double the value of the money loaned were not ample it would seem that no safe security could be devised. Moreover, the value of real estate given in security must be determined by three appraisers appointed by the fund commissioners.²⁰⁰

There was, however, in 1850 some danger in the acceptance of payment in the ordinary currency of the country, and so it was recommended that the school fund be put upon a specie basis — that is to say, all payments for land or interest on loans should be made in specie. Since about \$20,000 of interest remained in the hands of the school fund commissioners for some months, it was apparent that there was danger of loss due to depreciation if these amounts were held in paper money — and this was a loss for which the commissioners could not be held responsible.

During these years there was no protection to the lands belonging either to the common school fund or to the University fund — except in organized counties, which numbered about forty at that time. It was a common observation that much waste occurred because of the want of protection; and to illustrate this statement reference was made to the plundering of the timbered lands, notably in Black Hawk County where an extensive body of such land had been selected. Here persons engaged in lumbering on the Cedar River had helped themselves liberally to “saw-logs from the school lands”. Accordingly, severe penalties for such acts were urged. Again in 1852 the same problem arose, no action having been taken on the subject by the Third General Assembly.²⁰¹

Although the General Assembly failed to support Superintendent Benton in his plan to rearrange the administrative control of the school lands and funds, there is evidence that he did not cease in his efforts to secure more careful management; for under his direction a uniform set of five books was prepared for the use of the fund commissioners. These he undertook to deliver in person, and to give instruction as to their use by transcribing the “financial business” of one or more commissioners in each county. But this enormous task was not completed by the Superintendent. He reached ten counties, however, when the biennial period expired and the General Assembly met. Then personal misfortune demanded a cessation of the work. He declared it

to be his purpose, however, to continue in the following spring and to make a full report of his findings.

In 1854, nearly a year after Benton's term of service had expired, a supplemental report containing a recapitulation of the transactions relative to lands and funds as shown through an examination of the county school fund commissioners' books, was made public. These investigations revealed the fact that it was impossible to determine what lands had been selected under the 500,000 grant, owing to faulty records. It was then that Superintendent Benton, on his own responsibility, directed the preparation of authenticated plats of such lands and obligated himself to pay for the same until the General Assembly saw fit to make due appropriation. These lands totaled 523,337 acres as originally selected — an excess, it was observed, of over 23,000 acres, which would require an adjustment either by re-grant to the general government or some other just arrangement. It appears that nearly 448,000 acres of this grant had been ordered into market up to the time of this report — which was probably prepared in the early part of 1854 — leaving, it was said, about 50,000 acres "not in market" on January 1, 1855.

While making the examinations as required by law, the Superintendent had covered forty-one counties and had installed the system which he worked out in 1852 — that is to say, he had "transcribed the sales and loans" into new books, and had

left a statement of accounts in each county. Finally, he submitted a full report of these records, which became a part of the documentary publications of the State. Indeed, his six years of administration were characterized as having been given almost exclusively to the management of financial matters. Moreover, it was shown that from the beginning of the school system to March 31, 1854, the invested school fund had reached a total of about \$883,000, while the amount of the State loan brought the entire funded endowment to \$907,500. But of this amount more than \$550,000 was included in credit on the sales of lands. During the same period the total interest apportioned was nearly \$154,000, including \$50,000 on March 1, 1854 — this large amount, proportionally, being due to the rate of ten percent.

Almost the last word of Superintendent Benton related to what he had repeatedly urged — the appointment of a separate officer of the State to manage and supervise the school fund. Indeed, he set forth clearly the need of the separation of the functions of education from those of finance; and he declared that the economic reason for including these duties in one officer could not reasonably be maintained. Unless the greatest care was observed it was becoming more and more obvious that large losses would occur through faulty calculations alone. Moreover, the Superintendent of Public Instruction should be in reality what he was in name — something which, it may be said, he never had been.²⁰²

Although it is well known that the support of the schools through the limited tax and the interest on the school fund was supplemented during this period by apportionment among the patrons, it was not until 1853 that the so-called "rate bill" act was passed — apparently following its recommendation by the Superintendent of Public Instruction. By this law districts were empowered thereafter to enforce the collection of an amount fixed by the authorized officers to provide instruction during the established term. As has been said, this was the common practice in nearly all the States which were then making progress in popular education.²⁰³

Thus far in the efforts of the State to arrive at some satisfactory plan in the improvement of the lands and the investment of the permanent funds there was fortunately a man of more than ordinary energy at the head of affairs. But he advised the General Assembly of the great need of a different organization. That it would have been wise to have followed his suggestions, becomes more and more apparent as one follows the events connected with the administration of his immediate successor.

XI

MEASURES FOR THE RECOVERY AND PREVENTION OF LOSSES

JAMES D. EADS, the successor of Thomas H. Benton, Jr., in the office of Superintendent of Public Instruction, refers to the report of his predecessor for "a full statement of the condition of the School Fund, School Lands, sold and unsold, and the working of the system generally". Thus was begun an administration of the department of public instruction which resulted in a hopeless confusion of school fund matters, in long and wearying investigations, and in the cumbering of the State records. Indeed, it is not probable that this worthless account will ever be closed except by legislative action.²⁰⁴

Not all of the events which related directly to the school fund management of this period can be recited in this connection. It will be sufficient to point to the record itself and indicate the final outcome; its bearing upon the recommendations previously made will thus become obvious. Indeed, one can not escape the conviction that, had the General Assembly heeded the suggestions made at no less than three successive sessions, the major part of the distressing events of the three years would not have been experienced; for, had the Benton plan been adopted

the Superintendent of Public Instruction would have been separated absolutely from any connection with the control of money belonging to the school fund. Some blame for the consequences must rest, therefore, on the legislature which neglected to consider or which failed to see the importance of the recommendation.

At the close of the year 1854 there were sixty-five organized counties in Iowa, each of which had a school fund commissioner paid on the average of three hundred dollars per annum out of the interest from the permanent fund. They were then transacting business at an expense of nearly \$20,000 for salaries, and no one seemed to know how much for contingent expenses — all of which came from a fund that should have been reserved for the benefit of the schools, while some county officer, who doubtless had ample time might have performed all the duties then assigned to the fund commissioner.

It will be remembered that when the commissioners were paid from county funds it was declared to be wrong in principle; but now, in 1854, another incumbent of the office of Superintendent of Public Instruction asserted that this was the right way to compensate men whose time in the several counties was not equally occupied. It may be observed, however, that while the fund commissioner was supposed to be paid according to his services, it was possible in the opinion of those in authority to abolish the office and thus save many thousands to the interest fund. Moreover, from the examination made in

forty-six of the sixty-five counties, it was learned that records were hopelessly confused and that no accountant could possibly interpret them.²⁰⁵ While this conclusion was not different from that formerly expressed, it has been shown that Superintendent Benton undertook to place these records on a business footing — an effort which did not produce the expected results owing to the want of efficiency in those who were required to transact the business. Thus, events which would affect not only the General Assembly but also the approaching constitutional convention were accumulating.

In 1855 the State Land Office was established, and to it was assigned authority over all records relative to the school lands — thus removing such records from the office of the Superintendent of Public Instruction. Thereafter all patents for school lands were issued from the State Land Office.²⁰⁶ But the General Assembly did not seem to be ready to act in accordance with the message of Governor Stephen Hempstead, wherein he declared that the county treasurer could discharge the duties of the fund commissioner with less expense and much greater accuracy, notwithstanding the fact that to many it was obvious that there were more officers than necessary.²⁰⁷

But this problem was not the most important in so far as the safety of the school funds depended upon the original distribution, for early in the administration of Superintendent Eads trouble began over the five percent fund. Owing to the remarkable

growth in the sales of government land in Iowa this fund was rapidly increasing, and large sums in the United States Treasury were awaiting the requisition of the proper officer before being forwarded to the State. At one time (in 1855) there was thus available more than \$225,000, which would come into the hands of the Superintendent of Public Instruction the moment the Governor should authorize him to receive it. But the bond of the Superintendent, previously fixed at \$25,000, was now regarded as wholly inadequate; and so Governor Grimes demanded its increase to \$250,000. Upon its being furnished in this amount, the money which had been held in the United States Treasury was forthwith obtained.

Thus far all was well; but neglect in the distribution of the money received from the government brought on a conflict between the Governor and the Superintendent of Public Instruction.²⁰⁸ Matters did not improve, and so in his message to the special session of the Fifth General Assembly, which convened on July 2, 1856, Governor Grimes recommended the separation of the office of public instruction from all control over the school lands and the five percent fund. He affirmed that he did not know the amount of school lands or school money belonging to the State, and he knew of no way to readily find the facts. Immediate consideration of this matter was urged since the Superintendent of Public Instruction had acted without sanction of law in making personal loans of the five percent fund.²⁰⁹

By an act approved on July 15, 1856, which was ordered published "tomorrow, or as soon as practicable", the Superintendent of Public Instruction was prohibited from "loaning or parting with the possession of any moneys" then held and belonging to the school fund until it was so ordered by the General Assembly.²¹⁰

Without entering into a discussion of the personal controversies involved it may be well to present the opinion of the individual who was by law responsible for the handling of the funds previous to their apportionment among the counties. It was in December, 1856, that Superintendent Eads estimated that the funds and lands approximated \$4,000,000 in value. The care of this endowment he considered a "sacred trust committed to the General Assembly", which should order its management so that not one cent should be "misapplied, nor a single dollar lost by defalcation or left unaccounted for." He declared, further, that "with its disposal there should be no corrupt motive, for it is intended as the oil in the lamp of the Virgins, to light the paths of youth through the darkness of ignorance — to lead them as the fiery pillar of old to enlighten liberty through a world crowded with the vassal slaves of ignorance. It is a holy fund, to pay the guides who point our children up the way of earthly wisdom and true happiness ending in immortal peace". Lastly, he would "let the severest penalties of the law be visited on any officer who, by criminality, would impair this noble bounty of the children of our children's children."²¹¹

When these words were written by Superintendent Eads, an investigation of the affairs of his office was being made in an effort to arrive at a settlement that would protect the school fund from loss. The details of this accounting must be passed over and only the results presented in this place. Under the investigations of three distinct commissions the amount for which the Eads administration was held accountable varied from \$65,000 to \$95,000, some of which was later recovered from bondsmen and by the execution of paper held. The amount finally agreed upon appears to have been nearly \$72,000. As late as 1870, however, the losses due to these transactions were reported at about \$140,000 — which included interest on the defective loans, some of which remain unpaid to this day.²¹² It is probably not possible to determine the whole truth relative to the defalcation of Superintendent Eads, since the complications were numerous and the times were full of accusation. Reference has been made to the fact that the biennial reports of the State Auditor still carry some of these transactions relative to the school fund between 1854 and 1856. The land bid in under foreclosure of mortgage and now held under the control of the Executive Council is valued at about \$1000.²¹³

The legislative outcome of the controversy appears to have been an act repealing the law by virtue of which the five percent fund was paid to the Superintendent of Public Instruction and an act making the Treasurer of the State its custodian. The

functions of the Superintendent in distributing the fund devolved thenceforth upon the Treasurer. It was provided in the second act that the State should borrow from this fund \$57,500 on five years time at ten percent, for which the credit of the Commonwealth should be pledged as surety. Again, soon after the above acts were approved, another statute, removing all funds from the control of the Superintendent and providing that all moneys belonging to the school fund be paid into the State Treasury, was passed. At the same time "all notes, receipts, vouchers, bonds, mortgages, and other securities for any and all school monies, from whatever source derived," were ordered to be transferred to the Auditor of State. This act, however, was in no way to affect the money already distributed to the county school fund commissioners.

Then, to completely reveal the condition of the school fund throughout the State at this period, another act authorizing the Governor to appoint one or more agents to make a full examination of all papers in the offices of the school fund commissioners was approved in January, 1857. This investigation, moreover, was to be conducted with reference to twelve separate items which were designated in the statute.²¹⁴ Thus, the separation of the financial and instructional functions of the head of the department of public instruction—a combination which should never have existed—was secured after much disturbance in management and with blame resting on all who were concerned either in

originating or in perpetuating such an arrangement. The year 1857 marks the culmination of a growing error when drastic action became necessary to establish a procedure corresponding more nearly to business practice.

But legislation alone could not cure the disagreements of men; and while the adjustment of deeds to laws was taking place the Governor had undertaken to remove Superintendent Eads and to appoint Mr. J. C. Stone in his stead. At the same time, the record seems to point to the fact that the new appointee never really transacted any business relative to the school fund; and when Maturin L. Fisher succeeded to the office in 1857 he confirmed the distribution of funds made by Superintendent Eads, notwithstanding the countermanding of the order by Mr. Stone. The legal points in these controversies need not be discussed, since from this settlement no further questions arose that would be affected thereby.

When the General Assembly closed its session in 1857 the rooms left vacant in the Old Stone Capitol were immediately occupied by the constitutional convention which had recently assembled. Out of the discussions which arose in that convention one may sift propositions for the investment of the permanent common school fund. The special committee, to whom had been referred the inquiry relative to a plan for the better investment of the permanent fund, reported in substance that after a given date the General Assembly should provide

that all loans then made should be withdrawn and the amounts as collected be reinvested in United States stocks, the stocks of other States, or loaned to the State of Iowa at a rate of six percent. Thus the State should become responsible for the principal of this fund, and while the rate was reduced from ten percent paid by private individuals to six percent paid by the State, the difference in expenses accruing in making small loans would probably balance the difference in interest. The design of the committee was the prevention of losses which it was declared were commonly reported — certain counties being referred to by name.

Other suggestions which followed the report of the committee included the use of this permanent fund in the construction of public buildings, thereby keeping as much as possible of the fund at home; and in order to do this it was proposed to make the constitutional limitation of the State debt less stringent. There was general agreement, moreover, that up to this time (1857) the expense of fund management had been very great and altogether unnecessary, since the ordinary civil officers might have performed such duties without taking money from the permanent fund or from the interest thereon. Two things appeared to be desirable: (1) to keep the money at home, and (2) to make it secure from future losses. That the constituents of these delegates had demanded definite action on these matters seems clear from the debates.

But the committee of the Convention could reach

no agreement; whereupon a minority presented a provision to be incorporated in Article IV of the Constitution, by which the loaning of money to individuals should cease at once, since under the system then practiced there would continue to be thousands of borrowers and hundreds of public agents controlling the funds. With so many different persons handling the public money it would be almost miraculous if some were not found who were incompetent or dishonest. Furthermore, changes would become increasingly more difficult, owing to the inertia or indifference of the public. The losses occurring in small sums failed to arouse the public mind as they would if the total were reported at one time. Again, a loss was known only to a community and was soon forgotten; whereas if the losses fell upon a single individual, or a single responsible agent, the public would become conscious of the large deficiencies which must occur under the plan in force. There were references also to the selfish interests at work in keeping the fund invested in the local community; and it was asserted that those employed in its management would naturally be opposed to any change.

The proposal to erect public buildings in the State would have provided quarters for the insane, the blind, the deaf and dumb, and for institutions of similar character, which were then demanding funds from the State and for which taxes must be levied. It was therefore proposed to avoid not only the delay but also a multitude of transactions by employing the permanent school fund in this way. The annual

interest on such an amount as would be required for these purposes would be small as compared to the total that would need to be levied in providing for the entire expense.²¹⁵ It does not appear that consideration was given to any plan to repay this fund and to re-invest it at any subsequent time; and so the interest would have continued for an indefinite period on a debt that should at some time be paid.

There was, however, little difference of opinion relative to that provision in the Constitution by which the State became responsible for "all losses to the permanent School, or University fund" which might result from "defalcation, mismanagement or fraud of the agents or officers controlling and managing the same". Indeed, this provision may have been used as an argument for placing the fund under the control of the State. Neither were there any amendments to that section of the new Constitution which provides that "the financial agents of the school funds shall be the same, that by law, receive and control the State and county revenue for other civil purposes".²¹⁶ But after much deliberation and many speeches the proposition to incorporate any provision which would remove the fund from the counties and prevent individual loans was voted down.²¹⁷

Thus, through the adoption of the new Constitution, changes had been so made in the management of the permanent school fund that the Treasurer of State, the Auditor of State, and the county judge were substituted for the Superintendent of Public

Instruction and the county school fund commissioner. While this seemed to remove some objections and to tend toward economy in management, the immediate future was to produce some startling accusations and point to the wisdom of the measures advocated by some members of the constitutional convention. Not that all those measures would have proved wise, but the times demanded that the State should assume definite and active authority in relation to the school funds.

The reorganization of the schools under the law of 1858, as shown in previous chapters, could not change the situation with reference to the management of the school funds, since the Board of Education had no authority over the financial part of the system. While it may have been desirable that, following their election and induction into office in 1858, the Board should supervise the transactions relative to the funds in each county, the recommendation of Governor Grimes in January, 1858, relative thereto is not quite clear, inasmuch as he makes reference to "school fund commissioners" who were abolished by the new Constitution in 1857. His reasons for requesting such oversight were abundant, since the commissioners appointed to examine these records had reported many instances in which the security consisted of second and third mortgages, or poorly drawn papers, sometimes of fictitious lands and others with obscure titles, while the records of previous incumbents were taken without examination or question. It was frequently

necessary, it was asserted, to produce the abstract from the beginning in order to determine what lands had been sold. Nevertheless, while such mismanagement was being discovered the Governor, supported by the General Assembly, was making claim to more of the five percent fund — \$1,000,000 — which he declared was due on account of the land selected under the military warrants, and he recommended that if necessary suit be brought through the Court of Claims.²¹⁸

At the close of 1857, after the adoption of the new Constitution and previous to the enactment of the new school law, the situation was as outlined. There was an interest-bearing school fund in loans and credit on lands amounting to over \$2,000,000 which, at the rate of interest, should have produced more than \$200,000 — the amount to be distributed. There were, furthermore, about 620,000 acres of unsold lands — 575,000 acres of the sixteenth section and nearly 46,000 of the half million grant — all of which was to come into market as the State was settled.²¹⁹ Unfortunately no one seemed to realize the great value which lay in the possession of these lands.

XII

A PERIOD OF ADJUSTMENT

By the provisions of the free school law of 1858 the county was authorized to levy a tax of not less than one nor more than two and one-half mills, which should be distributed as follows: one-half among the districts of the county in equal shares; the other half, together with the interest on the permanent fund, in proportion to the number of persons of school age. This provision was not quite in harmony with that proposed by the Mann commission in 1856, since the latter would levy upon the county only an amount equivalent to the interest apportioned to it. It was the opinion of the commission at that time that "if a rigid economy" was practiced and the unsold lands "judiciously managed" the taxes would never become burdensome.²²⁰

The protection necessary to judicious management appears to have been first realized about 1857, when, as indicated in the preceding chapter, many laws aimed at the correction of abuses were enacted. Among the laws not mentioned above there was one which directed the Attorney General to ascertain whether any officer entrusted with the management of any school fund had violated any provision of law and to commence proceedings at once in cases of

violation. Then, a resolution was adopted which declared that "all such pretended sales or contract for sales" of any lands belonging to the University fund, when made to trustees, should be utterly "null and void"—which suggests the need of action at this period not only to protect the unsold lands but also to recover what had been wrongfully secured.²²¹

In the meantime events were transpiring which would not only make payments difficult for a brief period, but which would cause an alarming accumulation of delinquent interest. In March, 1861, it was pointed out that the amount due and unpaid was nearly \$300,000; while the entire sum collected and apportioned during the year preceding was about \$140,000. The delinquent amount had risen from \$16,000 in January, 1857, to \$43,000 in 1858, and to nearly \$300,000 in 1861. At the same time the total amount collected had continued to increase until 1859, when it began to decline. It should be said that the interest-bearing amounts varied from loans of \$37.50 to \$500, and altogether made a total of about \$2,000,000. Thus, numerous opportunities for delinquencies are apparent. Not only does this show the possibilities for loss in interest and the expense in collection, but it points to the large amount of loss that might accrue from a small error in each instance. It is not surprising, then, that in 1862 the Secretary of the State Board of Education "regretted that a system so ruinous in its tendencies" could not be "summarily abolished."

While this large sum was due to the State for

school support, it became necessary at the same time to levy increased taxes to meet the deficiency. In other words, the debts of many who were owing for the use of the fund set apart for a definite purpose must be met by others — a result defined as favoritism which could not be tolerated. Indeed, some of the obligations were said to be so long overdue that they were outlawed; while others were entirely worthless because of neglect in obtaining the proper security. The entire situation was characterized as being so unfortunate that unless it was speedily changed in a majority of the counties handling this fund, a loss of half a million would certainly follow. In a public business of such magnitude carried on with such neglect it was natural that chaotic conditions would result. But more than this, it was asserted that there was evidence pointing to deliberate plans “to plunder and pillage” whenever opportunity offered. Yet it was not recorded that anyone met with criminal prosecution and conviction.²²²

Again, in 1862 the State Treasury was declared to be the only safe depository of the school fund and Iowa State bonds the proper form of security. In this proposition Governor Kirkwood supported the Secretary of the Board of Education, who pointed to the fact that had the recommendations of the Governor in his first inaugural been followed, there would have been funds enough in the State Treasury to meet certain obligations incurred by the Civil War, thus obviating the embarrassment that resulted from the want of ready money. Furthermore, if

the State was the borrower the interest would be certain and sure of payment at regular periods, thus giving assurance to the annual apportionment.

Since 1857 certain inconsistencies were said to have existed in the management of the financial affairs of the State by which the State within five years had been twice "knocking at the doors of Wall Street for money, while we have had a vast fund at home, which was fast dwindling away for want of safe and judicious investment." Over \$500,000 of the five percent fund had come into the State up to 1862, had been distributed to the several counties, and had been loaned to individuals through the small transactions described above. And while this was going on the State was selling its bonds "in foreign markets for the purpose of raising means to meet our State expenditures". This practice resulted in a double tax, "first for paying the bonds, and secondly, for making good the losses sustained in injudicious investments of the fund."²²³

Because of these unfortunate conditions direct control by the State was clearly desirable; but in order that facts might be known it seemed necessary that a "rigid investigation of the affairs of the school fund in the several counties" be made. Moreover, all transactions where the security was inadequate should be closed, so that the State might issue bonds for the deficiency as required by the Constitution. The State, too, and not the counties, should make this investigation through a single commissioner in order that definite information

relative to this business might be collected at the capital and that the expense might be reduced to the minimum. It will be noted that the State at this time, through borrowing and the issuing of its bonds to make good certain losses, was already responsible for the interest on more than \$122,000 — an interest which was promptly paid and distributed so that the argument made above was not without illustration showing its possibilities. To be sure, the former expense of nearly twenty percent for collecting and distributing through fund commissioners had been removed by the provisions of the new Constitution, but the original plan of loaning the fund had not been changed. This was the great problem now to be solved. But for the State to assume all responsibility for the fund was held by some to be unconstitutional.²²⁴

From the year 1858, however, a movement was maturing which some fifteen years later came to be the policy adopted in fixing responsibility. In 1858 it appears to have been suggested for the first time that legislation should provide for making the counties responsible for the acts of their agents. It was shown that under provisions then existing the people of the entire State were making good the losses which resulted solely from the actions of agents chosen by the people of the county. It was therefore recommended by the commission which had been selected to examine into the affairs of the State offices that the "law of principal and agent should apply". Furthermore, that the income might

be secure and regular, counties should be held responsible for the interest according to a plan outlined by the commission.²²⁵

It was also through the report of this commission that some vital facts were revealed. Nor were the commissioners averse to fixing the blame for some losses and errors in management upon the Superintendent of Public Instruction during the years previous to 1857. In other words, it was pointed out that more care might have been exercised in preventing and correcting errors, although it was clear that entirely too much money had been wasted in the payment of excessive salaries and in meeting contingent expenses of fund commissioners. From 1849 to 1858 it was shown that out of a total of \$494,000, about \$120,000, or not less than twenty-four percent of the entire amount of interest collected, was thus consumed. Indeed, in the single year of 1852 the commission found that these items took forty-five percent from the interest collections; nor had the laws been complied with in very many instances.²²⁶

Such was the nature of the information submitted to the State Board of Education in 1859 when that body had full authority to legislate relative to all school matters except the revenue. Simply by resolution, therefore, the plan for county responsibility was approved; while "a law" awaited the action of the General Assembly.²²⁷

At the date of this report the permanent fund amounted to nearly \$2,400,000. But while this sum

was increasing the return on the investment was decreasing, owing to the delinquent interest. In 1863 it was declared that if some one could find a way to collect the interest taxes might be reduced one-half. Indeed, if all arrears — amounting to \$333,000 — were paid and the yearly amount promptly collected, no taxes other than for buildings would need to be levied for two years. Funds were then lying idle in some counties because of the inability of the clerk of the courts to loan the same at ten percent as the law required, and for that reason the time was considered favorable for calling the fund into the State Treasury for investment at even a lower rate.²²⁸ It should be mentioned that the authority of the clerk of the courts relative to the school funds was incorporated in the act creating the county board of supervisors in 1860. The county judge, who had followed the fund commissioner in this capacity, was now succeeded by the clerk and county board of supervisors, while the clerk was to be followed later by the county auditor.²²⁹

The recommendation of the commission relative to the application of the “law of principal and agent” to counties was partly complied with in 1862 by an act transferring the management of the school fund to the board of supervisors. By the same law the counties thereafter became responsible for all losses upon loans of the school fund, unless it could be shown that the loss had occurred through no fault of the county officers. Furthermore, certain powers were now conferred upon the county board, more

stringent regulations were provided relative to the acceptance of land titles, and all contracts, notes, and mortgages were thereafter to be made payable to the county.²³⁰

Governor Kirkwood in 1862 and again in 1864 considered the system of school fund management as entirely inadequate. He inquired of the General Assembly: "Would any of you, having a large amount of money to lend, lend it through those agencies? If not, is it right to do so with the public money?" He recommended the closing of all insecure loans and the making of no new ones, while the principal should be collected into the State Treasury to be held at interest or re-invested in United States or State stocks. Moreover, county officers should be required to make complete returns of the record of lands sold in their counties to the register of the land office, for, as the Governor pointed out, no exact information was otherwise obtainable.²³¹

The inability to loan the funds at ten percent and the recommendations of Governor Kirkwood in 1862 and 1864 induced the General Assembly in 1864 to fix a rate of eight percent, and to provide that wherever funds could not be loaned at such a rate they should be returned to the State Treasury in sums of one thousand dollars for investment in United States stocks under the approval of the Census Board (Executive Council). Not until this law was passed was it impossible to obtain school lands below \$1.25 per acre, since under the last

scheme of appraisement the law did not fix a minimum price.²³²

After the Civil War period the delinquent interest, which had been reduced to \$86,000 by September, 1867, began to come in. But there was a great discrepancy between the records of the Auditor of State and the local records relative to the funds. It was asserted that in not less than fifty-four counties the differences were so great that they never could be made to agree, for during the ten years that had elapsed since the time of the fund commissioners these errors had been accumulating. Indeed, one needs but to recall the statement in the early reports of Superintendent Benton, that if confusion occurred the truth would be difficult to obtain, to believe that such lack of definiteness had existed for nearly twenty years.

The actual condition of affairs in the counties at this time is set forth by county clerks who reported, among other items, that there had been no books kept "as contemplated by law"; that no past report was on file or on record; that it was impossible to make a correct report; that there have been some losses, but the precise amount cannot be learned; that there is no difficulty in loaning all the fund in this county; that we have loaned out none and see no prospect of loaning any; that there is no trouble to loan at ten percent, but the propriety of having two rates, eight and ten percent, collected in the same office is not clear; that the amount in judgments will be collected as soon as the defendants get home from

the army; that a part of the fund can be loaned at eight percent; that there will be no difficulty in loaning the fund at ten percent; that no losses have occurred since June 1, 1864; that there is \$1100 in notes not collected and worthless; that the losses can not be determined; and that it was recommended that personal security should be eliminated and the maximum loan allowed to an individual be no greater than \$500.²³³

The content of the above paragraph is summarized from the reports of twenty-eight counties and is doubtless substantially what a summary for the State would contain. Although these statements furnish no exact data, there is reason to believe that they throw light on the chaotic state of the business connected with school fund transactions, and that they indicate to some extent the demand for a different form of investment. Although under the law of 1864, by which all unloaned funds should be turned into the State Treasury, only \$20,000 had been invested in United States stocks, both Governor Stone and Governor Merrill agreed with their immediate predecessors in recommending a like investment for the whole amount.²³⁴

During the biennium, 1868-1870, nearly 73,000 acres of school land were patented at an average price of \$2.31 per acre. At the same time it was said that no means were available by which one might know how much was actually sold, since the law relative to reports to the Register of the Land Office had not been observed. It was known, how-

ever, that some of the lands patented, located in old and well settled counties, were sold for \$1.25 cash per acre. Governor Merrill pointed to the fact that the Census Board had sold lands obtained from the Eads sureties — some thirteen hundred acres in the counties of Clarke, Decatur, Marshall, Story, and Warren — at an average price of \$9.20 per acre. In some instances Governor Merrill, acting through the Attorney General, secured injunctions to stop sales, thus saving the lands in one or more counties from being sacrificed. It was, therefore, to be expected that he would recommend that all unsold school land be withdrawn from the market, and that the sales thereafter be made by the Register of the Land Office at public auction to actual settlers for not less than six dollars an acre.²³⁵

The Thirteenth General Assembly seems to have heeded these recommendations, for the law of 1864 was so amended that lands were to be held at six dollars per acre as a minimum, and in no case were they to be sold for less than the appraised value, except under special provision. Furthermore, it was provided that no school land should be offered for sale in any congressional township until at least twenty-five legal voters were settled therein. The same General Assembly again fixed the interest rate at ten percent, and finally resolved on January 24, 1870, to withdraw the lands from market until March 1st of the year following.²³⁶

Some were advising at this time that the period of withdrawal from sale be extended to ten years.

Mr. Jonathan Piper declared that the small amount then (1869) obtained from the permanent fund would not begin to equal the interest on the amount that would be realized from the increase in value in the ten years. In this he was probably right, since but two years before the real amount available for apportionment was only \$113,000; while there remained uncollected more than \$128,000 besides the interest on \$120,000 of unproductive and unsecured Eads funds and "medical college loans". There should have been available over \$253,000 instead of \$113,000.²³⁷

The medical college loan, to which reference is made, needs explanation. It may be said briefly that in 1858 the Seventh General Assembly authorized the State Treasurer to loan \$15,000 of the school fund to the medical college at Keokuk, which for some years was recognized as a department of the State University. While the time of the loan was originally ten years, it was asserted in a resolution of the General Assembly in 1870 that neither interest nor principal had been paid. Moreover, there were doubts as to the security for this loan, which the Attorney General was instructed to investigate. Judgment was obtained in the courts of Lee County against the property of the medical college, resulting in the end in a loss of over \$10,000 for which the State was held responsible.²³⁸ But this did not include interest on the \$15,000 for about thirteen years, since the Constitution made the State responsible for the principal only.

While the law of 1862 made the counties responsible for losses due to faults of their own agents, it was shown in 1869 that there was no authority designated to determine when a county was liable. Furthermore, it was difficult to discover, as the Auditor of State declared, just where and when the loss occurred in any transaction. It was found, also, that in a large majority of such instances losses were on loans made prior to 1857, which the constitutional provision was not interpreted as covering. In the face of these conditions the Thirteenth General Assembly was urged to provide for the auditing of all losses previous to 1862 and the appointment of some officer, as the Attorney General or the Auditor, to decide when counties were responsible. At the same time it was urged that authority be given the Auditor to visit the counties in person, or by a substitute, and "settle up these tangled accounts."²³⁹

When the county auditor was called into being in 1868 he became the manager of the school fund in his county. In the transfer of the funds from the clerk of the courts to the new officer a settlement was necessary, by which the State Auditor secured reports from all counties. In these reports it was shown that forty-seven counties had either a surplus or deficiency, as compared to the records of the State. The former ranged from \$3.50 to \$3000, and the latter from \$10 to over \$5000. Some of these differences were adjusted before the close of the next biennial period; but at that time others were

reported, one of \$10,000 and another of \$5500 — the last amount being found later in the possession of the clerk of the courts who preceded the county auditor. The culprit agreed to secure the amount by note and mortgage, and so the permanent fund was protected by that much.²⁴⁰

According to county records the permanent fund in 1871 was nearly \$27,000 less than that indicated by the records of the State as being in their possession. The total, not including this difference, was at that time over \$3,000,000, not counting lands yet unsold. Auditor of State John A. Russell would hold the State responsible for some \$80,000 in losses by including the Eads loan and others made before 1857; but he disagreed with all those who recommended the return of the permanent fund to the State Treasury, where it would become a permanent State debt. It was then that he proposed the plan by which counties should be held responsible for a certain rate of interest — say only eight percent — while the collected rate might be ten, as fixed by a law of 1871, the county retaining the clear proceeds above the eight percent. This arrangement, he affirmed, would be an inducement to the counties to keep the money at interest. The plan was endorsed by others, provided the State would not accept the entire responsibility.²⁴¹

Thus, in 1872 another effort was made to conserve the school endowment and at the same time secure a regular return on the investment. It had been ten years since the attempt was made to fix

upon the counties some responsibility for losses; but the collection of these, even when known, had proved to be difficult if not impossible through lack of power in any fixed authority. But a permanent policy was developing, which appears to have been first outlined by the Auditor of State, Mr. John A. Russell, but which included some of the provisions proposed by the commissioners in 1862.

XIII

FIXING RESPONSIBILITY

WITH the legislation of 1872 there was established a system of fund management that has been maintained to the present time. It was substantially the plan presented by the Auditor of State and provided that counties, after January 1, 1874, should be held responsible for the interest at eight percent — with the difference between that and the established rate of ten percent accruing to the county. That a settlement which should provide a basis of future action might be made, the Fourteenth General Assembly authorized the Auditor of State to employ assistance to examine all the school fund accounts. When an agreement should finally be reached each county was to be charged with all the funds loaned therein, and thus a new accounting would begin from January 1, 1874. There could be no doubt now as to the interest, for if the county should fail to collect the whole amount the difference must be advanced from the county treasury; and if any county became delinquent on the whole amount a penalty of one percent a month would be added until the interest was remitted.

Under this statute the State no longer gave attention to the disposing of lands to satisfy claims,

for the entire transaction was now a county matter. The boards of supervisors were authorized to have "sole control" and management of all notes and mortgages then held, or to be made; and the counties must pay the costs of foreclosure. At the same time it was provided that in re-sales any gains might be retained for the benefit of the county; while all losses to the permanent fund must be adjusted. From this date, therefore, there could be no reason for any differences arising between accounts kept by the State and by the counties, since the county stood in the relation of a creditor who was credited or debited as the case might be.²⁴² As long as this relative position is maintained it would appear that no such chaotic condition as existed for a quarter of a century can again occur.

In accordance with the law of 1872 the Auditor of State, acting through his deputy, made the necessary examination in forty-four counties, as a result of which the gain to the permanent fund totaled \$22,000. The General Assembly had appropriated \$2000 for the expenses of the examination, but the entire bill was no more than \$578.40, thus showing a large advantage on the side of the permanent fund. The query at once arises as to why this plan was not adopted earlier, or why a system was followed by which such discrepancies could continue?

The amount held by counties when the new law became effective was about \$3,000,000, while the total permanent fund approximated \$300,000 more — not including lands yet unsold. The interest then

would amount annually to \$262,000 or more, payable in two installments. When this change in management was finally put into operation the Auditor of State declared that it would not only simplify matters but would also securely guard the fund as well as fix responsibility. For the first time, too, in the history of this State the Auditor was able to give a full and satisfactory account of the condition of the school fund — by which is meant that following the settlement with the counties just previous to January 1, 1874, an apparently clear account could be rendered.²⁴³ As to the real truth of the transactions preceding that date, all is yet a mystery.

A rate of interest at ten percent could not be maintained for the school fund, when money could be had elsewhere for less; and so in 1864 there was established a minimum of eight percent, which was changed again in 1870 to ten percent. With counties charging ten percent and the State securing eight, a reduction would mean a less amount for apportionment unless the permanent fund was increased. The highest return of interest received in any one year appears to have been nearly \$319,000 in 1875; and when the permanent fund was not fully loaned it was clear that the returns would diminish rapidly. Hence the effect would be practically the same whether or not interest rates were reduced.

Governor Gear in 1880 concurred in the suggestion of the Auditor of State that counties be permitted to loan at a rate that would give the State a net return of seven percent. But a statute of 1880

reduced the interest on school fund loans to eight percent, and the counties were charged six percent. The loan to an individual might be increased to one thousand dollars, provided all the fund could not be invested in loans of five hundred dollars. Two years later the original provision, by which each loan must have two personal securities in addition to the mortgage, was repealed. Then in 1890 the rate of interest was further reduced, being fixed at six percent while the counties were to pay the State but five. And finally, in 1900 the rate was made still lower, so that counties loaned at five and returned to the State four and one-half percent — which is the present rate. Moreover, in the same year the maximum amount that one person might borrow was raised to three thousand dollars, only to be increased to five thousand in 1913.²⁴⁴ Thus, the amount with which it was thought safe to intrust an individual has been increased tenfold since 1880, while interest rates to the State have fallen from eight to four and one-half percent.

Although the law of 1872 appears to have settled its management, there were other problems relative to the permanent fund that required further adjustment and possible legislation. As late as 1896 the General Assembly memorialized Congress in regard to the five percent fund, claimed for more than fifty years by this State. What had occurred previously may be briefly summarized. Governor Lowe, having been authorized by a resolution of the General Assembly in 1857 to take such steps as were necessary

to secure the million dollars claimed, proceeded to Washington with the intention of instituting suit through the Court of Claims. But from this action he was dissuaded, since in any event the matter must go through Congress to be finally determined. The Court of Claims, having no authority but to recommend, might take no action and thus kill the claim. It was therefore considered wise to wait for a more favorable opportunity—indeed, until the West, which included several States interested in the same demand, had enough representatives in Congress to secure the enactment of such a measure. At the same time, the Governor endeavored to show that the granting of this claim would be no favor but rather a matter of justice which would be sustained in any court—if there were any having jurisdiction in such a case.

In 1872 the Fourteenth General Assembly authorized Governor Carpenter to appoint an agent to prosecute this claim. Whereupon he selected ex-Governor Lowe, with whom he made an agreement, pursuant to the resolution granting such authority, that no compensation should be received until the claim was recovered in part, and from such funds only. At the adjourned session of the General Assembly in 1873 the resolution of 1872 was so modified that the agent undertook the collection of the claim made for sales in the Half Breed Tract. In this he succeeded “beyond expectations”, it was said, and turned into the State Treasury for the benefit of the school fund \$5672. But it appears that the million

dollar claim was still under consideration in 1896, and at last accounts was in the hands of the committee on public lands, to which it had been transferred from the committee on claims during the first session of the Fifty-fourth Congress.²⁴⁵ Thus the Commonwealth and the general government failed to agree on the right of the State to five percent on the sales of the lands given for service in the Mexican War the same as if they had been sold outright.

Another problem which now troubled the chief authorities had to do with the human element rather than with the funds. About 1873 and thereafter, treasurers and secretaries became so numerous under the district organizations that much complaint arose over the inaccuracies in reports. In fact errors were so common that the former condition under the fund commissioners was not much worse than the latter under the district treasurers. In some respects the law was at fault in not defining the character of and fixing a definite time for the submission of the report which district treasurers should submit. Even as early as 1871 it was declared that only five county superintendents were able to file correct financial reports. This was to be expected when, for the year ending in September, 1871, the books of school treasurers showed that nearly \$300,000 more was paid out than was received, while in other instances thousands of dollars were unaccounted for. Then, in 1873 there was reported an aggregate loss of over \$80,000 of the funds in the hands of treasurers. Accuracy, it was af-

firmed, could never be obtained until the office of district treasurer was abolished and the county treasurer substituted.²⁴⁶

Some of the difficulties in accounting were charged to that provision of the law requiring the record to deal with three separate funds — teachers, contingent, and school house. It was repeatedly recommended that these funds be consolidated into one so that the records might be simplified. Moreover, it was apparent that district boards would not pay interest on the orders upon one of these funds when a surplus was available in another. In 1877 it was suggested that, since the confusion was increasing, there be but two funds, namely, a teachers fund and a general fund. In the biennial period from 1874 to 1876 alone, it was asserted by the Superintendent of Public Instruction that more than \$144,000 had been “wasted, lost, stolen or unaccounted for”; while for the five years, 1873–1877, the annual average of such discrepancies would reach \$87,000.²⁴⁷ Yet it could not be said that anyone was guilty of deliberate falsifying, since these differences were found to be in favor of the officers in very many instances. The need of a different system of accounting was evident.

That there were many opportunities and some temptation to use funds unlawfully could not be denied since a large fund in excess of actual needs was carried over each year. For example, it was shown in 1879 that for the preceding year \$5,000,000 was spent for all purposes; while at the same time

there remained in the hands of treasurers an apparent amount of not less than \$2,500,000, or about fifty percent of the whole expenditure. Furthermore, nearly \$400,000 of this amount was in the building fund, while half as much was considered sufficient. While some districts were unable to pay teachers, there was over \$1,600,000 in the teachers fund — being at least \$800,000 more than was necessary to be taken from the taxpayers for the period.

It was at this juncture that further efforts were made to secure the abolition of the office of district treasurer. In his first message Governor Gear called attention to the fact that there were ninety-nine county treasurers who could attend to this business — whereas the district treasurers numbered 4279, whose total compensation amounted to \$49,000 annually. It was his opinion that the office should be abolished. Moreover, there seemed to be a like opinion among some members of the Eighteenth General Assembly, since bills to accomplish this purpose were introduced in both houses. In both houses the committee recommended a bill for passage, which in the House was tabled and in the Senate was lost by a vote of sixteen to thirty-two.²⁴⁸ Again the effort to overcome a long established practice by substituting a new method was found impracticable.

There had been a treasurer from the time of the organization of the first school district. Sometimes he was chosen by the people as provided by the law of 1849; or he was appointed by the board, as under

an act of 1853; while in 1858 by the free school act he was again chosen by the people. In 1862, however, the board was empowered to select a treasurer — a practice that appears to have continued until 1898, when the Twenty-seventh General Assembly provided that in city and town independent districts the electors should make the choice.

That the number of officials required to manage school finances under the district organizations was entirely out of proportion to the needs was well illustrated in the first report of Superintendent Sabin in 1889, wherein he pointed out that the average number of sub-divisions for each county was forty-six, each having a secretary and treasurer, or a total of 9300 for the State. To these there was paid for services nearly \$129,000 — a sum which was increasing yearly. There were in fact almost 14,000 persons who had something to do with the school fund before it was finally disbursed.²⁴⁹ With so large a number of persons handling the three separate funds, it was obvious that some inaccuracies would occur.

Although for many years men had advocated the consolidation of the three funds, or the merging of at least two of them, Superintendent Sabin declared that experience of the year had shown the wisdom of the law compelling such division. There were many reasons given to support this conclusion which, in the face of the difficulties surrounding the accounts, had been overlooked. As the system was more perfectly developed and the errors were lessened the

demand for the single fund decreased to some extent, although the last recommendation, that of the Better Iowa Schools Commission in 1912, suggests but two, namely, a building fund and a general fund.²⁵⁰

While the distribution of the interest on the permanent fund has continued to be made in proportion to the number of persons of school age, there have been earnest efforts to change this arrangement. It was in 1875 that a feeling of dissatisfaction was expressed in reference to this method; and it was then suggested that the enrollment, or average attendance, be used as a basis; or that the interest, the county tax, and the tax from railroads be combined and distributed among the districts in proportion to the number of schools and months taught regardless of the enumeration of persons of school age. Again, some fifteen years later, there seemed to be a general agreement that the apportionment should be made on the basis of daily attendance. State and county superintendents were recommending this arrangement, while others declared it to be the "only just and equitable way" since by this plan the money would reach those districts where on account of a large attendance the most work was to be done. It was considered, also, that such a distribution would aid materially in the enforcement of a compulsory attendance law, since all would be interested in securing a large attendance that the apportionment might be the greater.²⁵¹

Nevertheless, people are not easily aroused over the distribution of a fund amounting to but two and

three-tenths percent of the entire school expense — or about fifteen cents per person of school age — while even the county tax for school purposes in 1906 added but about five and two-tenths percent to the entire amount raised, indicating that ninety-two and one-half percent was a district levy with which the State or county had nothing to do until it was estimated. But there was, nevertheless, some agitation relative to support through a general tax upon the State to supplement these local levies. In other words, it was thought that the State should aid directly in proportion to the service rendered by the district; whereas under the method of distributing the interest on the permanent fund, it made no difference as to the work undertaken, the length of school term, or the qualifications of teachers; the apportionment was the same provided these districts contained the same number of persons between five and twenty-one years of age. A State levy, it may be said, was not a new proposition; for Nebraska, Minnesota, Ohio, Michigan, and other States had already provided for such support, although they may have had a permanent fund much larger than that of Iowa. It was felt also that common schools should have consideration equal to the State institutions which were favored by a special tax for building purposes.²⁵²

The demands of the public were partly met by the legislation of 1913 by which certain phases of education were encouraged, and by which also the rural school would secure certain benefits when complying

with the conditions established by the law. Consolidated schools of two rooms would be entitled to two hundred and fifty dollars for equipment and two hundred dollars for annual support; three rooms would have for the same purposes three hundred and fifty and five hundred dollars; while four rooms or more would receive five hundred and seven hundred and fifty dollars. At the same time the appropriation for high schools offering normal training would involve an expenditure by the State of from \$100,000 to \$150,000.²⁵³

Authority was granted, too, by which the limit of local levies for contingent purposes might be increased to ten and that for teachers to thirty dollars per person of school age. This was a possible increase in each fund of fifty percent or more — an increase which was to be exclusive also of interest on the permanent fund. Not only were the local interests thus advanced, but the old problem of the “school treasurer” was attacked and stringent regulations provided to govern his actions, while his salary was wholly abolished. Thereafter ninety percent of the daily balances must be deposited at not less than two percent, while banks receiving the deposits must protect the same by bonds in double the amount held.

Among the reasons for the legislation in reference to the school treasurers and banks of deposit events for some years previous are suggestive. Aside from the contests over the deposit of funds there were dangers in carrying over from \$3,000,000

to \$5,000,000 in the hands of nearly 5000 treasurers. Indeed, it was shown that in 1895 the unexpended balance was about \$3,100,000; in 1900 it was \$3,900,000; in 1905 it was \$4,900,000; and in 1906 on June 30th, the end of the fiscal year under the new provisions, this balance was nearly \$5,500,000. It has since been reduced to about \$3,500,000, ninety percent of which will hereafter be drawing two percent for the benefit of the contingent fund — provided this happens to be the daily average of the balances in the handling of more than \$17,000,000.²⁵⁴

But one step now remains to remove the old trouble with financial records, since with the abolition of the office of school treasurer there would be but one officer, the county treasurer, with whom the county superintendent would need to confer in making the financial report to the State department.

The growth in the expenditures for the support of schools has been so steady and so gradual, and has covered such a large territory, that the tremendous changes which have taken place in but a few years have probably not been realized. When it is understood that nearly half the total tax levy is for education, and that this proportion is more likely to increase rather than to decrease, one begins to comprehend the revolution in sentiment since the days of the “school killers” who did not believe that the expense of educating the children in the free public schools should be met by the taxation of all the people.

PART III
SCHOOL DISTRICTS

XIV

THE ORIGINAL INDEPENDENT DISTRICTS

IOWA had been a Territory less than a year when the establishment of school districts was authorized. The action taken in Lee County by which in two instances congressional townships were designated as school districts has already been referred to. But one can not safely conclude that all of the schools during the Territorial period were limited by clearly defined district boundaries such as were prescribed under the laws of the Commonwealth. There was, rather, in those early days a reproduction of the old "neighborhood school", which served as the "district school" without the troublesome features which came to be so vexatious following the establishment of civil boundaries. Moreover, the argument relative to "districts" has been almost continuous since the State was established; and the variety of district formation, proposed and authorized, has proved unfortunate.

It is well known that in the early days the people followed customs with which they had been familiar, and thus there was instituted the voluntary arrangement by which schools came to be a part of each settlement. The technicalities of drawing legal limits for the exclusion of anyone were probably not

considered until the "township inspector" entered upon his active duties. Although the law assigned to him the function of establishing districts it gave him no instructions as to procedure in the performance of his duty. Furthermore, it was said that he was often at a loss to know just how to adjust district boundaries in order to accommodate the people who were in scattered settlements. This problem was especially difficult where the people of a settlement were located on different sides of a county line, since under the law parts of different counties could not be included in the same district. To be sure, this condition might be remedied by an amendment to the law: indeed, this appears to have been the beginning of recommendations relative to district construction.

In the first formal report of the Superintendent of Public Instruction submitted to the General Assembly of the State in 1848, the single authority represented in the township inspector seems to have been considered as inadequate. In other words, it was thought that there should be three such commissioners elected and that they should be governed by regulations defined by the Assembly, which should take into consideration the probable conditions of settlements for many years to come. From the first it was evident that it would scarcely be possible to satisfy all under district organization, and instances were cited to show the fatal effect of arousing a hostile feeling. Moreover, the difficulties were increased by a failure to specify in the statute

the procedure where district electors met for the choice of officers. Under the initiative of many different individuals there was lack of uniformity; and in the very beginning doubts were entertained as to the legality of proceedings which either prevented or delayed the erection of buildings and the establishment of schools.

While it might be desirable to provide more than one school in a given district, directors hesitated to act since the law appeared to allow but one. In such cases it was suggested that the people of the districts should be permitted to determine the number of teachers—if, indeed, they were to be given authority to make provision for the future growth of the community. One school might be sufficient for the more recently settled districts, but for the larger town such accommodations were entirely inadequate. These communities should provide from “one to three good school houses”; and they should be not ordinary but “permanent” structures, arranged with different apartments that pupils might be classified not only into primary and academic but also into boys and girls departments. Such buildings should cost the district from \$1500 to \$3000; and while this might be considered an “enormous expense to incur for such an object”, it should be remembered that the expenditure would not be incurred again. There was a strong appeal in this argument for the district to assume the authority granted to it, although the procedure was not clearly defined—a defect which the General Assembly was

urged to remedy as early as the days of Superintendent Benton.²⁵⁵

The Second General Assembly gave attention to the deficiencies of preceding acts and enumerated the district powers in detail. Moreover, districts were now made corporate bodies with all the rights thereto pertaining; while their establishment became thereafter a function of the county school fund commissioner. The electors of the districts were empowered to determine the number of schools to be established, to fix the site of buildings, and to levy a tax for their construction and care as well as for incidentals, or they might delegate certain powers designated in the law to the district board. Further authority was conferred upon the districts in direct harmony with the recommendation of the Superintendent, whereby "one or more permanent school houses" might be erected and a school of higher grade established, in which the pupils should be classified as the authorities might direct. And to control all the affairs of the district, rules, not incompatible with law and the instructions of the Superintendent of Public Instruction, might be adopted.²⁵⁶

The difficulties relative to the township or county lines were now adjusted, the county school fund commissioners being authorized to form districts from parts of two or more adjoining townships and also from parts of different counties with the concurrence of the two commissioners. But alterations in school district boundaries were possible at any

time that the convenience of the inhabitants should, in the opinion of the commissioners, demand; or on petition of two-thirds of the legal voters therein the alteration of boundaries must be made.

When this act became effective it was found that the records of the township inspectors were entirely insufficient to warrant the new authority to proceed with further organization. Indeed, such uncertainty existed in some instances that the fund commissioners formed boundaries from the beginning in redistricting their respective counties. This, however, could not prevent controversies, since, as is shown above, the commissioner must change the lines on petition. The statute thus failed to secure the desired end, namely, that of preventing needless changes and at the same time correcting the difficulties arising over civil boundaries. It was foreseen that unless the law fixed these divisions controversies would be frequent.²⁵⁷

A year's experience with the legislation of 1849 confirmed the views expressed above, and the provision of the law which conferred the power of altering district boundaries upon one individual, who under certain conditions had no discretion, was held responsible. It was therefore recommended in 1850 that a commission be created in each county which should examine into the condition of the district organization then established and, after careful consideration of the different settlements within the county, reestablish the districts for the entire area, regardless of municipal township boundaries. That

is to say, the interest and convenience of the people alone should be the basis of such district formation, although the government survey should be followed as far as possible.

While no limit should be set as to the extent of these new divisions there was a definite opinion that they should in every instance be much larger than they were, since there was no reason in providing for many districts where one would be more effective. It was clearly an error "to create some half dozen petty corporations where one will subserve our purpose better". It was always at this point that all authorities fell back upon the declaration of Horace Mann when he said: "I consider the law of 1789, authorizing towns to divide themselves into districts, the most unfortunate law, on the subject of common schools, ever enacted in the State [Massachusetts]."

As a unit the congressional township was recommended as "none too large" for the school district, although there was no insistence on this minimum if settlements were inconvenienced thereby, provided the prime object, that of avoiding bickerings over district limits, was accomplished. The records reveal the fact that in 1850 a general reorganization of districts was contemplated, something that should lead to permanency and at the same time preserve "order and symmetry". Indeed, it was asserted that no State was "better adapted for the formation of a beautiful and uniform system of school districts than our own." Such proposed changes might cause temporary inconvenience, but the future de-

manded some order in this respect or the school system would lose in efficiency.²⁵⁸

While efforts were directed toward securing uniform local action on the one hand, appeals on the other hand were made to the General Assembly for special legislation, even for so simple a matter as a rural school district. This, however, was probably as reasonable as a request for special legislation for the establishment of townships or election precincts. By an act approved on January 13, 1855, district number three of Cedar Township in Monroe County was established. The description incorporated in the act is illustrated in Figure No. 1, which leads one to conclude that several families were being especially accommodated through legislative action.²⁵⁹

Again by an act approved on January 24, 1857, a district was formed from fractions of two counties — Dubuque and Jackson — and designated as district number five of Washington and Otter Creek townships in Jackson and Dubuque counties. It is illustrated in Figure No. 3.²⁶⁰

Likewise a district with a total area of six sections was established in Scott Township in Johnson County, and was described as district number four as is shown in Figure No. 2.²⁶¹

Thus there seems to have been a method by which the authority of the school fund commissioner could be circumvented, if in any instance the desired action could not be secured through his office. Moreover, there appears to be nothing in the legislation for these districts which the law of 1849 would not have

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

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FIGURE NO. 1
DISTRICT NO. 3 IN CEDAR TOWNSHIP, MONROE COUNTY

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

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FIGURE NO. 2
DISTRICT NO. 4 IN SCOTT TOWNSHIP, JOHNSON COUNTY

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6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36
County Line			Dist No 5		
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

B.M.M.S.

FIGURE NO. 3
DISTRICT NO. 5 IN WASHINGTON AND OTTEE CREEK TOWNSHIPS IN DUBUQUE
AND JACKSON COUNTIES

allowed the commissioner to perform, or compelled him to do, unless in the case of the two counties the two fund commissioners could not agree. It may have happened that the necessary petition could not be secured for the end desired. But these are not the only instances in which appeal was made to the General Assembly, for through memorials and petitions the problem of the district was brought frequently before the State legislature.

That the authority of the county school fund commissioner over districts could not be exercised in all cases is evidenced by a law of 1855, amending an act of 1847, wherein the city of Dubuque was constituted a school district not subject to alteration by the commissioner, but wholly under the control of the city council. An exception was made also in that this city district was not subject to the provisions of the *Code of 1851* requiring regular district meetings and the election of trustees in each district, since the city council was empowered to provide by ordinance for the election or appointment of a board as it might determine. This was in fact special legislation establishing the independent district of Dubuque, and giving the city council special authority over educational matters. In making provisions for school buildings the council was empowered to anticipate the maximum tax levy of one-fourth of one percent by borrowing the amount necessary to purchase school lots and to construct buildings, but in this they were not to exceed the sum of \$10,000; while a school support fund up to two mills might be

levied.²⁶² Although other cities were either granted original charters or had their charters amended at this time, none appear to have been given similar authority in matters relative to schools.

The law for the benefit of Dubuque was due, it is said, to the efforts of "a few public spirited citizens". Upon its passage the three existing districts which had been established under the general laws of the State were combined into one. A board of education was appointed, consisting of five members, who met and organized, but later, owing to a complication relative to their duties as interpreted by the city council, they adjourned *sine die*. Then the council adopted a new ordinance, appointed a new board, and proceedings began anew. This resulted finally in the opening of what were termed free schools about the time a commission was drafting a "free school" law for the entire State.²⁶³

Although the provisions of the general statute authorized the county school fund commissioner to unite districts in practically the same manner as they were united under this special act, it would, nevertheless, require a vote of the electors in each district to accomplish consolidation. And while the "rate bill" act of 1853 (if adopted in its entirety) made a permanent district which could not be changed except by vote of the electors, these provisions were unlike the statute enacted for the city of Dubuque since they were applicable to any district.

But legislation for school districts through spe-

cial acts was soon to pass, as well it might, into a general law reconstructing the voluntary organization of the early days, transferring the functions of inspectors relative to the division of the townships, and finally authorizing the re-districting of the county by school fund commissioners under the law of 1849. While it would have been an easy matter to have provided the system — that is, the township as the district unit — proposed by many in the beginning, the problem was not so simple after the plan of independent organization was well established. Yet the idea of a district based upon the congressional township as a unit has apparently never been wholly abandoned since the first districts were established upon such lines in 1840. Indeed, there have been many advocates of that unit throughout the history of this State. It was clearly the opinion of the Mann commission that such a unit should be adopted, but in deference to the conditions existing in the State in 1856 the compromise arrangement of subdistricts composed of districts already established was substituted.

Reference has already been made to the report of the Mann commission in 1856, and to its subsequent adoption, in substance, in 1858 in what became the fundamental act of our present school system. Although Superintendent Maturin L. Fisher in 1857 observed that the district as established prevented the effective use of school money, and that if it were an original question the township would be preferred, he but repeated the contents of the Mann

commission report. In fact the only objection to establishing such a unit at once lay in the substitution "for a system with which the people are familiar, one to which they are unaccustomed." Superintendent Fisher declared that "as a general rule, no change should be made in a system to which the habits of the people are conformed, except for the most urgent reasons." Nevertheless, he favored the township unit and summarized the arguments of his predecessors in its support.²⁶⁴

Under the Constitution of 1857, as pointed out in a previous chapter, the authority over such matters was vested in a State Board of Education for at least five years; but as a matter of fact the law of March 12, 1858, must be the starting point in an analysis of the present system of district organization, since before the Board of Education had even been elected that law was in effect. It may be said, then, that from the time the Iowa country was attached to Michigan in 1834 down to 1858 the independent district of uncertain area was the unit of school administration, being responsible as a district to no higher authority and having for its governing body a board constituted of three or more members and controlling its own affairs in accordance with the laws. These districts were democratic bodies "corporate and politic" which would not be surrendered without controversy.

XV

ACTION AND REACTION UNDER THE FREE SCHOOL LAW

THE act of the General Assembly, approved on March 12, 1858, provided for the "district township plan" of organization. Each civil township was declared to be a school district, while districts then existing were subordinated to the township organization inasmuch as they were represented by one member on a general district township board which controlled by regulations the actions of all subdistricts within the township. In the beginning the electors of the district township were authorized to assemble on the second Monday in March annually for the purpose of electing a president, a vice-president, a secretary, and a treasurer. The first three of these officers, along with one director from each subdistrict, constituted the district board. The electors had power also to determine the tax levy, which was limited to one percent, for the purpose of providing buildings and equipment, for the compensation of instructors, and for supplying libraries, apparatus, and stationery. They might also authorize the board to anticipate a tax and to borrow money for a building and a site and thereafter to apportion the repayments of the loan among those who enjoyed the

benefits. At the same time the greater part of the powers granted to the electors might be delegated to the directors who must be chosen by ballot in each subdistrict.

Of these district officers the secretary was the agent of communication between the office of county superintendent (created by the act of 1858) and the school district; and upon him, it may be said, devolved many duties which since then have not decreased. In every instance where information relative to schools has been compiled the final authority for the data has been this local officer. The law of 1858, moreover, fixed a penalty for failure to make the reports required, and subjected the secretary not only to a fine but also to damages resulting to the district. The duties of the other officers of the district are implied in their titles — except that the treasurer was directed to keep separate accounts with the money raised for school houses, and to consider all money coming into his hands from interest on the permanent fund and from county or district tax for school support as a “teachers fund”.

Among its specific duties the district township board was required to employ teachers; to make all contracts; to admit pupils not residents of the district on such terms as might be determined; to provide separate schools for the colored youth, except in instances where they were permitted to attend the subdistrict school with the unanimous consent of the persons patronizing the same; to determine the number of schools and the length of term in each; to

decide upon the branches to be taught; to examine the books of and to settle with the treasurer; to visit the schools of the district once each month, and to aid teachers in establishing and enforcing rules for the government of the same; and to see that the proper records were kept by the teacher.

In performing these duties, however, the district board was required to keep within the instructions of the county and State superintendents of public instruction. The single director, elected by the sub-district, had general supervision of the school in his division; and he might be authorized by the general board to employ a teacher. It became his duty also to make final settlement of the affairs of the old district in the transfer of its business to the new corporation — the district township.

While the law of 1849 authorized districts to establish schools of higher grade no mention was made of high schools as such; whereas, the act of 1858 stated specifically that they (the district boards) “shall make such classification of the pupils in the high school or schools as they may deem necessary”. Finally, they should transact such business as would in any legitimate way promote the cause of education in accordance with the law.²⁶⁵

Besides these regulations for district townships there was also a provision which permitted incorporated cities and towns — containing, with annexed territory, not less than one thousand inhabitants — to organize as independent districts with powers of the district township. This provision,

however, was amended by the Board of Education at their first session in December, 1858, by extending the privilege to any city or incorporated town including the territory annexed. Moreover, the latter act was complete in itself, providing for a board of seven members composed of a president, vice-president, secretary, treasurer, and three directors. The four officers served the same period; while the directors held office for one-year, two-year, and three-year terms at the outset. Under this act a district might have as many school houses as the board should deem necessary; the regulations of the schools were subject only to the general laws; and the executive duties appear to have been assigned to the three directors in such proportion as the board might arrange.

If it should happen that such a city or town extended beyond a township line, the inhabitants of the lesser portion were permitted to elect whether they would remain with the original district or become identified with their own township. Or if such portion included a population of five hundred, the people had the privilege of independent organization, although in fact they were a part of an incorporated town. At the same time the portion of a township lying without the boundaries of such a city or town would be constituted a separate district, although the dividing lines could be at any time changed with the consent of the respective boards.²⁶⁶

There were some advantages as well as disadvantages in testing the law of March 12th during the

months between May and December, 1858, for it permitted the Board of Education to remedy some errors in reënacting the law at its first meeting. Among such corrections it provided for the payment of debts previously contracted for school purposes; extended the required term from sixteen to twenty-four weeks; provided for optional supervision of the district school; and authorized the subdirector to collect all taxes and debts due his subdistrict and to settle any business remaining unfinished at the time of the approval of the act of March 12, 1858.²⁶⁷ It may be said in this connection that much confusion arose over the settlements which were required in uniting these districts as subdistricts under a single board.

As mentioned in a previous chapter, a convention of county superintendents — the first of the kind in the State — met at Iowa City in September, 1858, and during their deliberations a committee, which was composed of one representative from each judicial district, recommended the repeal of that portion of the law which provided for subdistricts. Indeed, it was openly asserted that the “law would be relieved of an unnecessary encumbrance”, while avoiding, at the same time, many conflicts which would undoubtedly arise. Such a change, it was declared, would not affect the principle upon which the law was based. Moreover, if the township board was authorized to purchase all the school property, which had been acquired under the law of 1847, at a fair valuation, the disputes which had already oc-

curred or which it was foreseen might occur would be avoided. It was recognized, too, that much injustice would thus be prevented, since under the system practiced since the law of March 12th had become effective a part of the people were either subjected to double taxation or were deprived of the benefit of free schools.

Such were the conclusions of a body of men who were closely identified with the rural districts during the establishment of the present system of division and who saw the very first efforts to organize under the law of the General Assembly previous to the time of its reënactment by the State Board of Education. Yet in the short time allowed for observation they were satisfied that the "educational interest of the whole State has been largely promoted by the change in system, and that an interest has been awakened in the cause of popular education hitherto unknown to our people."²⁶⁸ The time for such radical changes as were involved in abolishing the subdistrict had not arrived, for that institution survived even after the State Board of Education had thoroughly debated the matter.

The first official report subsequent to reorganization under the new law revealed the fact that out of 3265 separate and independent districts there were formed 993 district townships. Moreover, the latter included 4574 subdistricts — all of which would have become independent under the law of 1847. It was considered a matter of no small moment that in the change not less than \$30,000 had been saved in the

reduction of expenses. The Secretary of the State Board of Education repeated the recommendation for large districts because, he said, such districts gave a "much more efficient and less expensive organization". Neither would he limit the district area to the civil or congressional township; and he dared even then to say that "if each county were constituted a school district, they would be none too large, if the people were prepared for what would now [1859] be deemed so ultra a measure."

The regret that the small district ever came to be established is expressed in almost every report that has been issued from the State department of public instruction. As early as in 1859 it was suggested that if a reorganization should be undertaken, the congressional township should become the unit and the subdistrict should be abolished at the same time. "Let each district", it was said, "be divided into not less than nine election precincts, for the election of one director from each" who together should constitute the district board and who should be classified into three groups, each serving for three years. The object in this proposition being to secure better accommodation of the public at a less outlay, the district board was to be granted power to establish schools at such points in the district as convenience might demand; and in making the adjustment of taxes those who had already contributed should be favored until the amount levied on property had been equalized. The purpose in fixing upon the congressional township as a basis was to secure perma-

nency and uniformity, since the civil township boundaries were subject to change at any time. In district organization three things, it was declared, were essential: "permanency, simplicity, and efficiency". These plans would have been incomplete, however, without some special provision for cities and towns including adjacent territory.²⁶⁹

Contrary to the opinion expressed in the foregoing paragraph, a resolution offered by Mr. T. B. Perry at the second session of the State Board of Education in December, 1859, declared that "an independent district system, by which the people of every single district may elect their own officers, build their own school houses, and do all other acts concerning the affairs of the district, fully recommends itself to this Board as preferable to the present complex and vexatious school system." And it was further declared that "the past year's experience in the operation of the present school law, demonstrates to us the necessity of a change of that system, and the adoption of a system by which the people of every district may control their own school affairs — freed from all ties or obligations of every name and nature — which now unite them with other districts in whose affairs they have no real interest."²⁷⁰ Although no action approving this sentiment was recorded, it may be regarded as the beginning of efforts to return to the original order.

The situation at that time required much patience, since communities at different stages of development demanded different treatment. For

example, a communication from the county superintendent of Dubuque County to the State Board of Education expressed a great desire for the "annihilation" of the subdistrict. The committee to whom this communication was referred replied that it would be entirely feasible to abolish the subdistrict in a populous county like Dubuque where all, or nearly all, districts had buildings; or perhaps it would be possible in counties more or less unsettled. But the difficulty arose in those partly settled regions where some districts were supplied with buildings and others were not, for it was agreed that "the construction of school houses by voluntary taxation under the township system" could not be easily secured. While the committee was opposed to the abolition of the subdistrict they were favorable to granting authority to the electors therein enabling them to construct buildings for their own use.²⁷¹

At the final session of the State Board of Education in December, 1861, the committee on the revision of the school law was burdened with "bills, petitions and memorials", many of which related to the subject of district organization. The result was two reports dealing almost exclusively with the merits of the old organization and those of the new. The majority conforming, it was said, to the wishes of the "whole State" and waiving all personal opinions declared it to be unwise to return to the independent district system. While there might be advantages, these would be outweighed by the disadvantages in readjusting the recently established

authorities and the business conducted under them. Indeed, there seemed to be no possible way of returning to the former arrangement even though it could be shown that it was desirable, since in the formation of the district townships the smaller was included in the greater; but to reverse the rule would cause no end of confusion. Then, the State as a whole was becoming familiar with the new system; and communities could not be regarded as more important than the State. Moreover, the actual progress in school growth was greatly in favor of the system under the new law. Finally, responsibility for the district township system did not rest with the State Board of Education, since it was a creation of the General Assembly. When the act creating the system was declared unconstitutional, the Board was compelled to reënact its provisions or destroy the effects of the law entirely.

The minority, however, were opposed to these views and expressed their belief in the independent district "because it brings legislation nearer home, and gives the people of the Sub-District the exclusive right to govern themselves". Moreover, it was asserted that the people had neither desired nor sought the change, and that the distribution of property rights was a matter easily adjusted.²⁷²

By the general act of 1862 the General Assembly enlarged the opportunity to form independent districts by extending the privilege of such organization to any "city or town" containing within its surveyed limits not less than three hundred inhabitants and

including certain contiguous territory. The contiguous territory was not limited; and so far as the law designated its extent it might have included any area — the term “convenience” used in the law being a variable that could not be definitely determined. The township trustees were the agents to determine the original boundaries within which the preliminary election was to be held; but the elected board was authorized to establish as many schools or subdivisions of the district as they might deem advisable. The remainder of the township in such cases became a separate district township, but the boundary between these two school districts could be changed at any time on the concurrence of the two boards.²⁷³

It may be said, further, that in 1866 another amendment changed the words city or town in the above act to city, town, or subdistrict, and reduced the necessary population to two hundred. Again, in 1868 the duties theretofore performed by the trustees in establishing such districts were conferred upon the township board of directors, and the former provision of 1862, requiring three hundred as the population, was restored.²⁷⁴

Such movements clearly signify a tendency to enlarge the number of independent districts. Now the results of this tendency were plainly indicated by Superintendent D. Franklin Wells in 1867, when he declared that the law of 1866 permitting towns of two hundred to form independent districts would eventually destroy the district township system. He

noted that in 1865, seven years after the law was passed authorizing cities and incorporated towns to so organize, only one hundred and seven such districts were established; but when the act was amended admitting towns of three and then of two hundred population, these independent districts began to multiply so that the number had more than doubled in two years. Furthermore, the number in some counties was half as many as the whole number of townships. While it was granted that independent organization was best adapted to cities and towns of some size, the rapid increase of the small independent district was deprecated. Ten years had now passed since the district township system was adopted as an innovation in 1858; but now (1868) after the opposition had for the most part subsided, it was recognized as "suited to the necessities of our State."²⁷⁵

Not only was the district organization problem to be wrestled with by the State Board of Education, but it also became a subject for debate in the General Assembly in 1864. It was simply the old proposition of returning to the independent plan. Moreover, it was declared that of all problems before the Assembly up to February 7, 1864, the most interest was manifested in "the question of changing our present District Township system of schools to the Independent District system." It was finally decided to make no change in the school laws. Whereupon the advocates of the existing system considered that "no better day's work" would be accomplished

during the session. Among the House members supporting the law were: Azro B. F. Hildreth of Floyd County, the chairman of the committee on schools and formerly a member of the State Board of Education; William P. Wolf of Cedar County, formerly county superintendent; Samuel McNutt of Muscatine County; John E. Darby of Madison County; Calvin R. Johnson of Clarke County; Elbridge B. Fenn of Guthrie County; George M. Maxwell of Story County; and Benjamin B. Richards of Dubuque County. The concluding arguments in this debate set forth the facts that a change would lead to confusion and possible litigation, while at the same time it would tend to weaken if not destroy the free school.²⁷⁶

That such a decision was fortunate, one may conclude from the opinion which seemed to prevail in regard to the school law then in force. No less an authority than Mr. Jerome Allen, writing in 1867, declared that the school law of Iowa had been pronounced by good judges to be in many respects superior to that of any State in the Union. Its real excellence was apparent in its provision that the entire township should become an "organic whole"—that is, a single district. It was commendable that the error of the eastern States, by which the township was subdivided into eight or ten independent districts, had been avoided. At the same time it was observed that the provision for any form of an independent division separate from the township was not in keeping with the original act. It had

come to be "a settled principle", that as soon as a village was incorporated (and sometimes before) it must form itself into a separate school district, thus producing "a wheel within a wheel each often moving in opposite directions". Moreover, the annual election in many of the smaller of these divisions was "often attended with more excitement than the Presidential campaign", which was frequently due to causes having no connection with the welfare of the schools.

On account of this separation of interests the schools immediately surrounding the city or village were weakened, and many pupils "living within a short distance of an excellent high-school" were prohibited from attending. Under these conditions "a free education" was considered a myth, "beyond the poor accommodation of an over-crowded district school". The school law was certainly not framed with such intent, but rather that the central school should be the property of the township, or at least such a connection should be maintained that the more advanced pupils could enter the higher departments free of tuition. "If the whole township is taxed for the support of all its schools equally, and the principal of the central school made the superintendent of the schools in the township, two very important objects would be gained. The idea that every child is educationally equal with all the remainder, and the very great advantage of an increased amount of property to be taxed for supporting the graded school. There would be a

sympathy between the village or city schools and those in the country, and every child would feel its beneficial results."

It was observed that the independent district tended also to increase the distance existing between the town and rural schools, and that the establishment of such districts became "a positive evil, which should be remedied by an act of the Legislature." The privilege of independent organization should be limited to towns of not less than six hundred population, whereas there were observed instances in 1867 in which a population of less than two hundred had thus separated themselves from the township. With the suggestion of the change to a larger population there was another, namely, a provision which would require the township to pay the tuition of all who were prepared for the advanced grades of the town school. It was declared, also, that until some such plan was adopted, the "full blessings of a public system of education" could not be realized.²⁷⁷

Thus, during the time of experiment with the independent district legislation when no definite policy seemed to prevail, a plan was outlined which in some features has been adopted within less than three years and even amended as late as 1913.²⁷⁸

Again, recent tendencies are illustrated in the adoption of the law of 1866, by which the township of Liberty in Dubuque County, consisting of five sub-districts, formed one independent organization. Such an event could not have transpired had the population required under the law been fixed at too

high a number, unless special provision had been made for the union of subdistricts in an independent organization which might include the entire township.²⁷⁹ In this instance the law was commended, and from this beginning it would appear that the abolition of the subdistrict was not a serious matter when the change resulted in a larger unit.

XVI

THE SECOND TRIAL OF THE INDEPENDENT DISTRICT SYSTEM

THAT persistent agitation is an effective method of securing results in legislation is evidenced by the action of the General Assembly in 1872 in accordance with which the independent rural district might be restored. Doubtless the legislation of 1872 would have been designated by some as "reactionary", since it provided that the entire township might be thus organized. If one-third of the township electors petitioned for an election on the matter, the board of directors had no choice but to call an election. On an affirmative vote the dissolution of the township organization was assured, since it only remained for the subdistricts to hold a second election for the selection of a local board of three members — provided the population was under five hundred — and to vote upon a name for the new corporation.

Where the township voted in favor of the plan the law required all districts to become independent, the liabilities and funds of the old township being distributed by the old board to the several new districts. Moreover, while under the old plan there were nine members on one township board, under

the new plan there were twenty-seven members on nine boards. To these should be added a secretary and treasurer in each of the new districts, since the laws applying to independent districts became effective therein.²⁸⁰

During the first year and a half following the enactment of the law of 1872 not less than one in fourteen of the townships of the State had adopted its provisions. In other words, there were in 1872, when the law became effective, about 1600 districts with approximately 8000 subdistricts. Out of these, one hundred and nineteen district townships had formed nine hundred independent districts. Out of ninety-nine counties more than half had some townships adopting the new plan, or better had re-authorized the old plan. For instance Keokuk County, which seemed to lead, had seven townships fully organized with fifty-nine independent districts, each of which would have its full number of officers — that is, a total of nearly three hundred.

It was asserted then that if this plan should be adopted by the whole State the number of districts would increase to more than 8000 and the officers from less than 10,000 to over 36,000. Indeed, it would make possible about 16,000 secretaries and treasurers who, at an average salary of twenty dollars each (the amount paid in 1873), would cost the State \$320,000, or one-tenth of the entire expenditure for schools at that time.

It was foreseen that such a multiplication of officers would increase the difficulties previously ex-

perienced in securing correct data with reference to school funds and district affairs, which formed the vital material in an analysis of the school situation. The entire movement, it was felt, would tend toward disorganization, prevent unity of action in establishing township graded or union schools, cause strife in the adjustment of the district boundaries, destroy uniformity in text-books throughout the township, and increase the total burden of taxation. Indeed, instances had already been cited in which to raise the same amount of funds the rate as between districts varied from ten to forty mills.

Various difficulties due to negligence or failure to obey the laws were present in the reorganization. The data found in the reports for 1873 would be discredited if there were many instances like those of certain townships which began their records from the time changes were made, leaving no account of the transactions for the fraction of a year under a single secretary. This is true, also, in cases where settlements were incomplete and information could not be secured. It was not strange, therefore, that men should characterize this law as one which was "working a great wrong", or that they should recommend its repeal at the very next session of the General Assembly.

From one of the older counties the information sent the State department showed that "great confusion" had been caused through this statute. While some of the new independent districts had been strengthened by the change, others found them-

selves "in so weak and crippled a condition" that they were "unable to support any school at all". It was openly declared that the whole tendency of the law was toward making the "strong stronger, and the weak weaker". There were those, also, who had favored the change, but who, under its practical workings, expressed their regrets for having advocated it. Others said that if there was any good feature in the act by which the district township could be dissolved, it was not clear; for the new arrangement would surely increase the total taxation and cause complaint on account of inequalities. To some the system resulting from this reaction became a perfect maze of dissimilarity which could not be comprehended by persons who were responsible for the enforcement of its provisions. The remedy was declared to be a return to the former township system placed upon a better basis.²⁸¹

Previous to 1872 independent districts were organized only on the vote of the persons directly interested, but under the new legislation there was no process by which the electors of a subdistrict could prevent the thrusting of independence upon them, even against the wishes of a majority. The change was made upon the action of the entire township, a majority of all the votes determining the matter — although it may have happened that one or more districts were strongly opposed to such change. Thus the increase in the number of districts continued as the majority in the township dictated, until some fifteen years later when this

situation was relieved. From September, 1873, to the same month in 1875 at least one hundred sixty additional townships adopted the independent formation, increasing the total number of districts to nearly 3700, where formerly there were 1600, including the town independent divisions. And during this time the expenditures for additional official service were increasing, while efficiency was declared to be decreasing. Once again there was a demand for the township unit without any subdivisions.²⁸²

It seems obvious that, when the law of 1858 was passed and the civil township was made a district controlling the subordinate divisions, the advocates of larger districts and fewer officers had secured a permanent advance in organization. Nevertheless, the change in 1872 was made after industrious efforts had exhausted the arguments for increased efficiency through the abolition of the subdistrict. In January, 1872, Superintendent A. S. Kissell, who was supported by Governor Samuel Merrill, showed that the most experienced educators had approved such a system. Moreover, it had been thoroughly tested in Massachusetts and Pennsylvania, a fact which should have more "weight with us in this young and growing commonwealth than any theoretical arguments that could be advanced."

It was to this same General Assembly (1872) that Governor Merrill commended the abolition of the subdistrict system, declaring in doing so that there should be no "district territorial organization other than those well-defined political divisions with which

we, in common with the people of most of the states, are so familiar." In his opinion the plan then in vogue had "lasted long enough to establish the superiority of the system whose adoption it impedes".²⁸³ But, as shown above, the efforts to prevent the reaction were futile.

Under the change the labors of county officers were largely increased without any apparent advantage, beyond the gratification of local interests in the small division of territory which managed or mismanaged its own school. Some of the trouble experienced is suggested by the following words:—"Sad will be the lot of the county superintendent when all our district townships become independent districts. It is next to impossible to find forty-five men, in any rural township, who are competent to fill the offices necessitated by the independent districts." The writer was looking forward to a time when in his county there would be one hundred and eighty-five separate reports to duplicate, where formerly there had probably been less than forty. Moreover, the efficiency was decreased at an additional expense, since in townships under the sub-district system a secretary and a treasurer (in this particular county) were paid twenty-five dollars each. Such a township was cited as paying fifty dollars for the same service which cost another township under the independent plan one hundred and eighty dollars. Thus, for the one county, when fully organized on the independent plan, the expenses would be increased by \$2600, while the labor would be multiplied and the records scattered.²⁸⁴

Under the small independent district plan there was a tendency to divide and subdivide until the districts became not only unable to support a respectable institution in building, salary, and equipment, but unable also to arouse interest in educational problems. At that time, in accordance with an act approved in 1876 which amended Section 1725 of the *Code of 1873*, districts could be established for the minimum number of fifteen pupils, while schools might be maintained by renting a room for not less than five pupils. This, however, was changed to ten pupils in 1886 — a provision which is still in force. But a district for so small a number as fifteen was considered as unnecessary in the older counties in 1879. And so it was recommended that the number be increased to twenty-five or thirty in such communities, while the lesser number might stand in the more recently settled counties.²⁸⁵

One may conclude that the law providing for the voluntary restoration of the district township, passed in 1876, had not been adopted in the sections with weak districts. It would have been a simple expedient to return to the first plan under that act, for it required a petition of only one-third of the voters of all the independent districts to secure action, and under an affirmative vote the old organization could be restored. Thus, a way of escape from the error of 1872 was provided four years later. That townships anywhere made any effort to return to the first organization when the independent system had once been established is not, it seems, a

matter of public record.²⁸⁶ Had there been any great dissatisfaction with the existing conditions in these townships it would have resulted in some general action unless, indeed, the larger and stronger districts were always in the majority. It was true that in one of the counties, where the independent arrangement had been more popular in the beginning, objections by small districts were raised within five years on account of oppressive taxes. And where at first "the system appeared to work well", the longer it was tried the more plainly it appeared "that the legislature made a mistake".²⁸⁷

But there were reasons for the legislation of 1872 which caused so much discussion and so much annoyance and which was so generally condemned by those who recognized it as reactionary. For example, it was shown that the township board as constituted was not a permanent body, and that policies were continually changing; that districts were formed on the basis of territory rather than on the population to be accommodated; and that with nine subdistricts in a congressional township, each with an area of four sections, it frequently happened that the majority having few pupils oppressed the more populous districts which did not receive their due proportion of funds raised by taxation. Moreover, complaints were made that villages, too small to organize as independent districts, were provided with but one teacher for from seventy-five to one hundred pupils — yet at the same salary as paid in the smallest school in the township. But the remedy,

as has since been well understood, did not lie in the principles of the legislation of 1872 but rather in the opposite direction — that is, in the direction of the abolition of the subdistrict.

The law of 1872, furthermore, expressly directed that districts organized under its provisions should be “governed and treated in every respect as provided by the law creating independent school-districts.” It was therefore within the power of rural independent districts to anticipate taxes and to acquire a bonded indebtedness — a course followed in some instances, although it was clearly the intention that such a complete adoption of the privileges of cities and towns should not be made.²⁸⁸

It was not until 1878 that the original subdistricts which became independent under the act of 1872 were authorized to reconstruct their boundaries or subdivide, in which case the minimum area could not be less than four government sections. But this legislation was amended two years later so as to allow districts of two sections to be organized where natural obstacles interfered, but only on a vote of the electors of the proposed divisions. Again, in the same year there was a reënactment of the provision of the statute of 1866 that villages (so defined in 1880) of two hundred population could form independent districts.²⁸⁹

The inability of the less populated subdistricts to protect themselves against the change to independent districts has been mentioned. This situation remained unchanged until 1888, when an amendment

required a petition from one-third and a majority vote of the electors in each subdistrict before such a change became effective.²⁹⁰ Thus, it became more difficult to secure an independent system, but only after the rapid increase in the number of separate organizations had ceased. The number had risen from 400 to 2026 between the years 1872 and 1874; while from 1874 to 1888 it had grown to 3426. In the former instance the increase in two years was over 1600; in the latter, a period of fourteen years, it was but 1400. Furthermore, from 1880 to 1888 only 234 additional independent districts—including town and rural—were organized. Had such a statute been passed earlier it might have prevented considerable injustice.

Until 1890 the reports of the county and State superintendents brought forward all the possible arguments for the establishment of the township district as a unit. It was then said by Superintendent Sabin that “this subject had been so ably discussed” by each of his predecessors in office that he would devote little time to its consideration. It was his opinion that “if the people of the State could be made to understand how much time, money, and strength” was wasted in putting into effect the “present complex system”, and also how much more efficient the civil township unit would be, they would make an immediate demand for legislation providing for the township district system.

The reports for 1889, which supplied the data for the summaries of the State department, showed that

the money paid for school purposes must pass through the hands of 4650 district treasurers and that as many secretaries must draw the orders, which must be signed by an equal number of board presidents — thus requiring the services of 13,950 persons before the money finally reached those to whom it was due. In each of the two counties, Marion and Keokuk, there were two hundred and thirty-two officers who must file reports with the county superintendent before he could comply with the law in making his annual summary for the State department. It was, then, a plain business proposition, which confronted the law-makers and the people, to reconstruct a system which really provided for four different kinds of districts: (1) the original district township, (2) the independent township district, (3) the city district, and (4) the rural independent district.²⁹¹

The fact that the nine directors in the district township were subject to change at the end of any one year, while the independent districts were protected from a change in more than one-third, suggested inquiry as to the reason for this difference. Indeed, it had been frequently recommended that the board be divided into thirds and be elected for three years. No definite action was taken, however, until 1892, when the term of members was fixed at three years, commencing with the spring elections in 1893 — it being determined during the previous September which subdistricts should elect for the one, two, and three year service. But this was evidently not

a popular statute, since in 1896 it was repealed, the one-year term being then reestablished.²⁹²

Again, in 1894 the independent organization was favored by the reduction of the required population to one hundred; but the contiguous territory could not be included without a written petition from a majority of the electors residing therein — later a separate vote was permitted when demanded by one-fourth of the electors. Thus, the number of people within an area which could form an independent organization had been reduced from one thousand, as under the law of March 12, 1858, (or, as provided by the State Board of Education in the same year, any incorporated city or town could adopt such organization) to the minimum of one hundred in 1894.²⁹³ Furthermore, the rural independent district had assumed some of the prerogatives of the town districts under a provision of the law which was not intended to convey any such privileges.

One or two instances of the voluntary union of subdistricts to form an independent township district have been mentioned. It was not, however, until 1897 that the law permitted boards to contract for the transportation of pupils; and before 1900 there were few typical consolidated schools in operation, the actual results of which became a feature of the public reports about that time. Such consolidation was by no means new in educational administration, but it was not common in this State. Hence its operation under local conditions was carefully watched. This movement, it may be observed, has

been considered a solution of the problem of the small district after sufficient time has elapsed to create a demand strong enough to overcome the local prejudice in favor of the district school.

In 1906 authority was granted by which the consolidation of schools might be obtained through petition and vote, provided no such organization included a less area than sixteen sections.²⁹⁴ While such a district might have been formed without the authority of this act, it may be said that this legislation gave opportunity to patrons to take the initiative in such a proposition. By a similar statute, but special in its effect, all districts in cities of the first class containing a population of 50,000 might be combined under one management on an affirmative vote of all the electors secured by a petition of not less than one hundred.²⁹⁵ Rural district consolidation was further encouraged in 1911 by a more definite statute providing that school boards should furnish suitable facilities for transportation, in which certain requirements were specified along with others relative to the building to be maintained. Finally, the usual way of escape from a situation that might prove unpopular was included in the act which permitted a vote on dissolution. This being accomplished, the former system might be restored, each new district assuming its proportion of liabilities and being assigned its share of assets.²⁹⁶

The last act relative to consolidated schools makes substantial recognition of such institutions through State aid, the amount of which depends upon the

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scope of the work — whether in a two-room, three-room, four-room or more building, and provided instruction is given in the required subjects of agriculture, home economics, and other phases of industrial education. This act was supported by the commission instituted by the State Teachers' Association, and the outlines of its provisions are substantially the same as proposed by that body.²⁹⁷

In accordance with the legislation cited above there had been about thirty schools operating under some form of consolidation up to June 30, 1906. That is to say, some small schools had been suspended and the pupils conveyed to other central schools. But in nearly half of the institutions classified as "consolidated schools" not more than one district school had been discontinued, and in only four instances did the number rise to six or seven. The districts of Marathon and Buffalo Centre each provided for pupils from six suspended district schools, while the consolidated schools of Lake Centre and Terrill each included pupils from seven schools — which indicates that real consolidation was not extensively practiced. These thirty districts altogether were patronized by the pupils from less than eighty subdistricts. Moreover, six years later (in June, 1912) only forty-seven central schools were receiving pupils from one hundred and two discontinued schools. It should be said also that the school of an independent town district, long established, was counted as doing consolidated work as soon as any subdistrict school was suspended and the pupils came or were sent to the same.²⁹⁸

Thus it is evident that a rapid change was not taking place in the small districts. Nor had these and other instances of consolidation been altogether free from the controversies that arise when innovations are proposed. Indeed, some of the differences were carried to the highest court of the State for settlement; and even then the breach in the community could not be repaired. Instances may be cited where, after the consolidated organization had been approved by a majority of the electors and a building completed at large expense, the school was never put into operation.²⁹⁹ It seems that the General Assembly of 1913 had no choice but to enact some measure which would lend itself to the encouragement of consolidation if the movement was to become productive of what is claimed for it, namely, the abolition of the small district — a feature of the school system forever condemned but ever retained.

PART IV
TEACHERS IN THE SCHOOLS

XVII

KEEPING SCHOOL ON THE FRONTIER

DURING the years immediately following the planting of the first settlements in the Iowa country and preceding the organization of the Territory, even from the time when no law other than that of local sentiment prescribed the procedure, the teacher had begun to "keep school". Fortunately about thirty years ago a more or less successful effort was made to gather some information relative to these pioneer teachers; and to the data thus collected and preserved some reference will be made in the chapters that follow, although the values of such personal accounts have decided limitations.

It has been agreed that there were schools and teachers as early as 1830, when Berryman Jennings began to instruct in a modest way at the Nashville settlement in Lee County. Many years later (in 1886) when the facts were fully recognized, and after this early teacher had become a prosperous citizen in a far western State, the State Teachers' Association ordered a letter containing expressions of regard to be forwarded to his home in Oregon.³⁰⁰ This action would seem to leave little doubt as to the facts, since it followed the effort in 1884 to collect reliable information concerning the earliest teachers.

Had the claims made for Berryman Jennings been questioned the action of the Teachers' Association would probably not have been approved.³⁰¹

That there were teachers in active work in Burlington and in Dubuque before the Michigan statutes were extended over the Iowa country in 1834 is evidenced not only by eye-witnesses but also by the written records. Well authenticated contemporary papers suggest the truth of such claims. For example, among the early settlers in Burlington one Dr. W. R. Ross bears honorable mention in the official documents which preserve the history of the organization of local government under the jurisdiction of Michigan. He is said to have built two cabins in the fall of 1833, and of these one was prepared for a school house which was occupied as such in March, 1834, by Zadoc C. Inghram. (Moreover, at one time this was thought to have been the first school in Iowa.) About the same date (1833-1834) there was erected in Dubuque from funds raised by voluntary subscriptions for church purposes a building which, according to the provisions of the subscription paper, might be used "for a common school at the discretion of the Trustees."³⁰² It was in this house that both George Cubbage and Barrett Whittemore taught school early in 1834. Such were the beginnings of the schools in the first established towns of Iowa.

There were, moreover, other schools in the scattered settlements along the borders of the Black Hawk Purchase. It appears that Jesse Creighton

taught at Keokuk in 1833, Mrs. Rebecca Palmer at Fort Madison in 1834, and Benjamin Tucker—a man with such a mighty signature that if once seen could never be forgotten—at Burlington in 1834. Other teachers during days of the Michigan period were William Crawford at Fort Madison, Johnson Pierson in Des Moines County, Rev. N. S. Bastian and Professor Greenlee at Dubuque, and Simeon Cragin in Scott County.³⁰³

There were statutes governing teachers and their employment after June 28, 1834; but until the local government was fully organized these, to be sure, could not be vitalized. According to the provisions of the Michigan statutes then in force in the Iowa country, teachers were to be examined by township school inspectors, and their employment without a legal certificate, which must be renewed annually, was forbidden.³⁰⁴ Strictly, then, no one could teach a “public school” without such official recognition during the time that the Iowa country was under the jurisdiction of the Territory of Michigan. Such regulations, however, did not affect the private schools which were conducted in the Black Hawk Purchase.

One may pass hastily over the Wisconsin period (1836 to 1838), since there were no legislative changes affecting the matters under consideration. There were, however, some well known names among the teachers of that time: Mrs. Caroline Dexter, Mrs. Louisa King, Miss Louisa C. F. King, Alonzo P. Phelps, and Mary Ann O'Reilly, all teachers in

Dubuque County; E. H. Barrett and Miss Marianna Hall in Scott County; Dean Gray and Mrs. Noble in Jackson County; Rev. George Bumgardner in Muscatine County; Alfred Rich, Mrs. Williams, and Mrs. Fanny Pond in Lee County; and John A. Daniels and John P. Grantham in Henry County. It is believed that there were forty or more different schools in the Iowa country before the establishment of the Territory of Iowa in 1838.³⁰⁵

In the first school law of the Territory of Iowa, enacted in 1839, the only provision relative to teachers was that authorizing the trustees of districts to examine and employ them. There is nothing to indicate what such an examination should include, how often it should be given, nor who should be admitted to it. It is, therefore, plain that the trustees had full power to provide for instruction as they might determine. Moreover, schools were actually organized under this act, although the names of persons engaged as teachers are not available.

It is not contended, however, that all of the public schools then taught were "statutory" in their management, since the community frequently employed the teacher on petition or on subscription. When such schools, held in some humble log building erected for a blacksmith shop or for religious services, outgrew their quarters it was then soon enough to provide for a separate structure. For example, it has been recorded that in one of the earliest organized counties a petition was circulated, a teacher secured, and the first school opened for

twenty pupils. Indeed, this was the custom in the early settlements.³⁰⁶

As soon, however, as a more complete organization was effected teaching began to be regulated to some extent by law. As early as 1839, indeed, a citizen of Burlington recommended the establishment of an institution for the training of teachers at the capital of the Territory. It will be remembered that this was the same year in which the first of such institutions was established in the United States, namely, the Normal School at Lexington, Massachusetts.³⁰⁷ The Burlington proposition was doubtless premature, since there was as yet no comprehensive plan for a school system in Iowa, although one may believe that the suggestion led to the designation of one definite department in the act of 1847 establishing the State University of Iowa.

The second statute enacted by the Territory of Iowa in reference to teachers required that all persons proposing to teach "primary schools" must be examined with respect to their "moral character, learning and ability to teach school"; and when the township inspectors, by whom they were to be examined, were satisfied that such requirements had been met they were authorized to issue a certificate valid for one year only. A further provision authorized a reëxamination at any time and an annulment of the license in case of delinquency, provided a notice of ten days was given through the township clerk.³⁰⁸ As already pointed out, this was the statute adopted from Michigan and certain of its provisions may

have been far in advance of the needs of the Territory. Nevertheless, it appears that later its requirements came to be applied in accordance with the letter of the act.

It was not until 1841 that any documentary account of the teacher supply in Iowa was filed in the archives. Then, fortunately, Dr. William Reynolds, the Territorial Superintendent of Public Instruction, made the following observations:

It is to be regretted that our situation is such that good teachers are so hard to be found, and when found, that we are so often unable to pay them according to their merits. If our Honorable legislature could do something toward remedying this deficiency, which is a growing one, it would be worth more than all they can do at the present time for the promotion of higher seminaries of learning. No one could attach more importance to academies, colleges and universities than myself. We shall need them, and must, eventually, have them. But our common schools are now of infinite importance. . . . If our young men and women could be made to view the matter in its proper light, and set about the work of self-improvement in good earnest, and [of] qualifying themselves for teaching with becoming ardor, probably they might do more for the cause than we can, at present, look for from any other source.³⁰⁹

Not waiting for the sanction of a law to encourage such a movement, but acting on individual responsibility, the private teachers opened schools in all the towns along the eastern border of the Territory. While it is not of any very great importance as to who was the first of these teachers to give instruction, one may accept the authority of those who

were in the schools at that time. Thus, Mr. C. H. Eldridge has left an autograph account which verifies the statements of others relative to the early teachers in Scott County and the city of Davenport. But he adds that Rev. Michael Hummer, or Parson Hummer, conducted a private school during the years 1838-1839, and was later succeeded by Moses Parmele. About the same time "Father Pelamourgues opened a school in the old brick church" where a dozen children assembled. Soon after this a New Englander, Mr. S. W. Cheever, who came west for his health, became "one of the most efficient teachers in the city." (It would be interesting to know the relation of this Cheever to the famous Ezekiel Cheever of New England.)

In 1842 there was among the teachers of Davenport one John H. Tice, who later served as the superintendent of the St. Louis city schools for twelve years, and was the author of Tice's Almanac. Another well known name, that of Mr. C. C. Washburne, occurs in the list of early teachers. It is said that Mr. Washburne came to Davenport in 1839 and opened a school—the second in the community. His subsequent career is almost too well known to need repetition, since he became Governor of Wisconsin, served in Congress, became a major general in the Civil War, returned to Congress, became Governor of Wisconsin a second time, and finally established the great Washburne Mills at Minneapolis.³¹⁰ It was in 1839, also, that Mr. John A. Parvin opened the first school in Muscatine County; and during the

same year Mr. Valentine Bogart gave instruction in an unoccupied log cabin in section two of Wapsinonoc Township.³¹¹

It appears, moreover, that these early schools were not managed under the united action of the people, being rather independent movements and temporary in their nature. Not, indeed, until the Territorial government was succeeded by that of the State did the teacher's position become a matter for more direct consideration. The law of 1847 retained the provisions of the act of 1840 with respect to the examination of teachers in the township, and there is trustworthy evidence to show actual proceedings thereunder. For instance, in Rapids Township in Linn County there was issued in 1847 the following:

This certifies that I have this day examined Miss Susan A. Abbe, touching her ability to teach, both in regard to her education and to her moral character, and I find her well qualified for a teacher of common schools.

This certificate shall be valid for one year.

Rapids township, Linn county, Iowa, July 16, 1847.

ALEXANDER L. ELY,

Inspector of Common Schools for said Township.

It is asserted that the holder of this certificate was "the first legally qualified person to teach in the public schools of Cedar Rapids."³¹²

It would appear that each inspector was a law unto himself as to what qualifications should be required of the teacher. There was, however, an early desire to obtain some standard. Since there was no designation in the law as to what subjects

should be taught in the schools, no standard could be drawn from the statute. Furthermore, the district electors were the authorized agents to determine courses of study — a system that would naturally result in a lack of uniformity. At this juncture (1848) the Superintendent of Public Instruction recommended the creation of schools having different departments, thus separating the primary from the more advanced pupils; and in the larger towns and villages the authorities should be empowered to establish schools of higher grade, which could not be done in a sparsely settled community. Such schools would then afford some criterion for the examination of teachers, since they would be able to maintain a thorough course of academic instruction; while the schools generally were to instruct in the primary subjects. With such variation persons desiring to become teachers might be employed in the schools that best suited their attainments. It is an interesting fact, also, that at this date (1848) it was proposed that the examination and licensing of teachers should become a county rather than a township function.

Under the requirements of the first school law of the State, directors employed the teacher; but, owing to the omission of any provision by means of which the teacher could hold the district responsible for his compensation, there were instances where the authorities refused to employ any one lest they be held personally for the wages due. It was clear that where districts had no property the teacher was

without legal remedy, being dependent upon "voluntary contributions."³¹³

According to statistics carried through the reports of the State Superintendent of Public Instruction since the early seventies, the number of teachers in 1848 was one hundred and twenty-four, of which one hundred and one were men. But this is certainly incomplete information, since only eight counties reported the number of teachers, while at least ten others reported the number of pupils taught; and there were many districts organized which doubtless had schools in operation. Taking only the eighteen counties reporting pupils taught, and on the same average of pupils per teacher, one arrives at the conclusion that there were over two hundred regularly employed public school teachers. Moreover, it is safe to assume that all of the six hundred and seventy-three organized districts then having schools did not make reports under a law which was of such recent origin as the act of 1847, and that a conservative estimate would put the number of teachers at over four hundred.

Again, it is quite certain that the increase in the number of teachers in the next yearly summary is out of all proportion to the increase in the number of organized districts, while the increase of schools in operation is far out of proportion to that of teachers. To be sure, one can not determine the proportion of women to men teachers unless he assumes the ratio reported as about one woman to five men teachers. It was one to two in 1849, and about the same in

1850; while the compensation had remained at an average of less than fifteen dollars for men and less than nine for women per month. In 1850 the total number of teachers is recorded as 800, and the number of schools as 914, notwithstanding the fact that the districts numbered nearly 1300. This, of course, may be explained as to teachers by the fact that the average term was but three months and ten days, and one teacher may have taught two schools.³¹⁴

When the powers of the township inspector were transferred to the county school fund commissioner in April, 1849, the authority relative to the examination of teachers was not included in the enumeration. Indeed, there was no provision for any investigation as to the qualifications of persons employed in the schools. The district board, consisting of a president, a secretary, and a treasurer, were authorized to employ a teacher and pay him by warrants upon the treasurer. Employment, however, may have implied an examination by the local board.³¹⁵

During these early years men teachers were usually employed during the winter months, while summer schools were in charge of women—the former outnumbering the latter as has been stated. It is probable that in making returns of “schools” uniformity did not prevail in the definition of what constituted a school. That is to say, a school as located in a district and a school as taught may have differed so that one district might have had two schools in a single year, each with a short session. Thus, the figures as to schools and teachers may

mean very little until reports became more authentic and uniform.

Yet it is well understood that men teachers were in the majority, so that one may appreciate the recommendation of Superintendent Eads wherein he declared that it would be well to employ more women teachers, since the "tender, patient care, so requisite to the proper development of these young plants" was "more naturally and prudently exercised by that sex". The inducements as to compensation at that time (1854) were an average of less than twenty dollars for men, and for women an average of less than ten. The Superintendent recognized the effect of this situation, for to him it was "painfully evident that the profession of teaching, has not yet assumed its true position in the estimation of the great mass of our citizens." And further, it was "to be deplored that this, which should be the most prominent, as it is the most important of all the learned professions,—is made to yield in point of position, in favor of other and far less worthy objects. . . . I trust, however, that we shall soon witness a better appreciation of the services of the teachers, throughout the different sections of our State."³¹⁶

During the "educational revival" in the early fifties Iowa teachers were assuming leadership in what was to result in a reconstruction of the schools under new legislation. Men and women whose names should be remembered were engaged in moulding the sentiment that very soon matured in specific recommendations to the General Assembly.

Among these — some of whom were later to achieve national recognition — one may mention Mr. George B. Dennison and Mr. D. Franklin Wells of Muscatine, who, in the early fifties, were instrumental in developing what seems to have been the first classified district school in this State.³¹⁷ In 1854 Mr. James L. Enos was located at Cedar Rapids; Mr. Henry K. Edson at Denmark; Mr. Samuel Howe had been long at Mount Pleasant; Dr. William Reynolds had located at Iowa City; Mr. Jerome Allen had begun work in Dubuque; and Mr. Christopher C. Nestlerode had visited the State. Many professional men were also largely influential in this movement toward school reorganization.

There was much dissatisfaction in these early days on account of the chaotic condition which prevailed, not only as to legislation for schools but also as to management within the existing independent districts. Here and there some strong leader was establishing himself as a teacher of teachers and drawing from some distance those who would secure inspiration as well as academic instruction. This was notably true of Mr. Christopher C. Nestlerode in the union school at Tipton. In August, 1857, Mr. Nestlerode, as president of the State Teachers' Association, delivered a carefully prepared address on "free schools", in which, it seems, he coined the term "School Killers" and applied it to those who opposed such schools.³¹⁸

About the same time another institution, similar in character and purpose, was established at Osceola.

Both of these schools were patronized by pupils from beyond the borders of the counties in which they were located, and from their success the "union school" in Iowa attained a reputation for thoroughness of effort in meeting the needs of the time.

But while these individual movements were setting advanced standards, the Superintendent of Public Instruction, Mr. Maturin L. Fisher, was declaring that there was absolutely no examination of teachers in Iowa and incompetents were often employed. Of those who were annually hired to instruct, he declared that there was no supervision of any kind to insure effective labor.³¹⁹ In fact, since 1849 there had been no legal requirement governing examinations, and little opportunity for any official oversight. Two things were imperatively demanded, namely, a standard of qualification and a satisfactory compensation — demands made in 1857 but never met, not even at the present time.³²⁰

The State started out well when in 1847 the law establishing the State University required that as soon as the annual revenue from its funds should equal \$2000 the institution should instruct, free of charge, fifty persons each year "in the theory and practice of teaching, as well as in such branches of learning as shall be deemed best calculated for the preparation of said students for the business of common school teaching." It was the duty of the Governor, the Superintendent of Public Instruction, and the judges of the district courts to appoint these fifty representative students; but there is a notice-

able lack of required obligation on the part of the latter to return in service what they might receive in instruction.³²¹ The provision for appointment seems actually to have been carried out, prior to the recommendations of the Mann commission in 1856. The desired return service would have been obtained under the provisions recommended by the commission, while large inducements were offered to prospective students through the county high schools.³²²

Briefly stated, this system of scholarships for the purpose of securing qualified teachers required the appointment of a "scholar" from each district (township), men and women alternately, but in any case the first scholar therein "in point of talents, attainments and virtues." This scholar should be granted an annual allowance, which was to be deducted from the compensation after the individual had engaged in teaching in the common schools, following the completion of the required course in the proposed county high school. In the same manner, also, other "scholars" should be appointed from the county high schools to the University — one from each senatorial district — who should be pledged to become a "professor" in some county high school. It was not provided, therefore, that women should be eligible to appointment as University scholars.

All this was to be done for the definite purpose of calling into the service of the State "the most able, the most learned, the most virtuous men: to add a new impulse, and to give a new direction to the ambition of the generous sons of Iowa; to elevate the

moral and intellectual character of the people; in a word, to make this Republic [Iowa] the foremost in the confederacy.'"³²³ Such, indeed, was declared to be the purpose of a systematic scheme for obtaining teachers by aiding them in their academic preparation.

For twenty years, covering the Territorial and a little more than a decade of the State's history, there were teachers in all communities acting on their own account and collecting a fee from each child taught. Or they were paid in part from public funds and in part from the proceeds of a "rate bill" — receiving at the same time some remuneration from "boarding around". During this period property did not support the public school and provide for the education of all children under laws that systematized the work of district organization, instruction, supervision, and maintenance. The early teachers made their own systems, recommended their own kind of text-books, manufactured their own apparatus, and collected their own bills.³²⁴

XVIII

THE COUNTY IN CONTROL

WITH the enactment of the law of March 12, 1858, the recommendation of Thomas H. Benton, Jr., that the examination of teachers should be made a county function, became a fact ten years after it had been made. Thereafter no person could be employed to teach in a school supported by public funds unless he held a certificate of qualification signed by the county superintendent. Moreover, any teacher presuming to commence such a school without this authority could receive no compensation for the time taught — a requirement which has prevailed ever since that date, being “revised”, however, from time to time as to the extent of the qualification.

Although the statute was not put into operation without some opposition to and even violation of its provisions, it prescribed the time and the subject matter of an elementary examination and was the beginning of a limited control by a central authority. Moreover, it is interesting to note that the subjects of the examination, as enumerated in the act, were “orthography, reading, writing, arithmetic, geography and English grammar, and such other branches as may be required hereafter.” This last clause has doubtless been made to mean much more than

was anticipated when it was incorporated in the revision of the law of March 12, 1858, by the State Board of Education at its first meeting in December.³²⁵

In September, 1858, a convention of county superintendents was held in Iowa City. This was, indeed, the first meeting of such officers to be held in the State. And it is noteworthy that among the committees of the convention there was one on compensation and qualifications of teachers. The membership of the convention can not be discussed in this connection; but the report of this one committee is pertinent since it included the declaration that "the teachers of Iowa, as a body, are deficient in the branches specified in the law. They are also deficient in a knowledge of *mind* — its operations and how to control it." The committee held that the "common doctrine", that highly qualified teachers should not be required because the schools were backward, was dangerous and "apt to prove disastrous". Primary schools, it was held, should be taught by the most thoroughly prepared teachers, for it required "as skillful a workman to lay the foundation, as to build the superstructure."

The committee agreed also that "a teacher whose ruling motive is the pay, is unfit to have the care of children", and that a high standard should be set as to moral requirements. A uniform wage, however, was not recommended, since it was thought that pay should be allowed according to qualifications and services. But there should be State uniformity in

certificates, which should be supplied in blank to the counties by the State Superintendent. It was declared that the special preparation of teachers was indispensable.³²⁶

The last item in these recommendations was not new, for in the preceding year (1857) the Mahaska County institute had passed a resolution requesting the General Assembly (the one which passed the general school law) to separate the Normal Department from the State University and to form teachers institutes, or what were in reality temporary normal schools, in different parts of the State. There was a very general demand of this kind, which, however, has more bearing on the agitation for the establishment of a permanent State Normal School than on the movement for local institutes.³²⁷

The system of county examinations had no sooner been established than something more was found to be necessary if the annual "round up" was not to become a permanent feature. It seems, too, that the neighboring State of Illinois was contending at the same time for some State recognition which would place teachers on a level with other professions. That is to say, it was apparent that a State examining board empowered to grant licenses for life was desirable. The situation in Iowa was the counterpart of that in Illinois, which was fully described at the time by State Superintendent Newton Bateman.

Under circumstances then existing in Illinois the most one could expect without undergoing the examination was a two years' license in one county.

No matter what the age, ability, experience, or preparation no higher recognition could be obtained. He might have "added to the finest natural abilities and teaching powers, a thorough course of general training in the best literary institutions in the country, and an equally complete professional training in the normal school — he may have grown gray in the service and been revered by thousands of grateful pupils and yet if such a man should come to Illinois, he could not teach in the obscurest district to be found in the darkest corner of the State without submitting to an *examination*, and obtaining a certificate of *qualifications* to teach a common school! And if in two years, he, the light and strength of a hundred schools, should wish to teach in an adjoining county, he must again be examined and licensed, and so on for each of the one hundred and two counties of the State. Each county line strips him of his learning. . . . Is it so with lawyers, doctors, ministers? Must an attorney have as many licenses in his pocket as there are counties in his circuit. . . . Does a physician's diploma lose its virtue at a county line. . . . Does a clergyman lose his theology or require a fresh license when he changes his parish?"³²⁸

It was humiliating to many teachers of Iowa to be subjected to an examination by some county superintendent who, although he might be fully equipped in his own calling, was not competent to issue certificates to all who might appear before him. It is a well known fact that at this time the office of

county superintendent was usually administered in connection with some other occupation. This appears to have been the chief reason for demanding the establishment of a State examining board, although the lack of uniformity among the counties was a prime incentive. The Illinois legislature responded to the suggestion of its able Superintendent in 1861 and passed a law authorizing the State Superintendent to issue State licenses to persons eminently qualified, either upon his own examination or upon that of persons appointed by him. These licenses, moreover, would be valid in every county and would supersede all further examinations.³²⁹

In August of the same year (1861) resolutions were adopted at the Iowa State Teachers' Association requesting the establishment of a State Board of Examiners by the Board of Education, which held its last session in December, 1861. The actual reasons for the request are contained in these words of the resolution: "Whereas, the present law of Iowa requiring all teachers to have certificates, makes no distinction between the permanent professional teachers and the unsettled and occasional ones, where a great difference really does exist, and a distinction should be made, etc."³³⁰ Such a board of examiners was established on December 20, 1861, by the State Board of Education; but it was an ex officio body composed of the faculty of the State University of which the "professor of the normal department" should be chairman and the secretary of the Board of Trustees the secretary. The stand-

ard of qualification for the certificates to be issued by this examining board should be the equivalent of the course of study in the Normal Department of the State University.³³¹

Previous to this action the county superintendents issued all licenses, which were graded or not as the incumbent of the office might determine. There had been a recommendation presented to the State Board of Education relative to such grading in 1860, but the secretary of that body observed that "such an enactment would be adding machinery to a school system already sufficiently complex." At the same time, he saw no objection to the county superintendents adopting such a plan; indeed it was his opinion that the whole matter might be left to school officers "without further legislation on the part of the Board."³³²

In 1861 it was proposed by members of the State Board of Education to so amend the law governing the State University that "the Certificate or Diploma given to graduates of the Normal Department" should be "sufficient evidence of qualification to enable them to teach in any of the Public Schools of the State . . . without procuring a Certificate from any County Superintendent." The amendment was adopted by a vote of ten to two; and thus during the last session of the Board there was established a new form of professional recognition.³³³

The function of the University faculty as a State Board of Examiners was not called into activity very

early, nor at very frequent intervals. There were a few men, however, who appeared before that body and secured State licenses as professional teachers. Except in these few instances the county superintendents continued to control the grading and the time limit of the common certificate — the result being anything but uniformity either in standards or duration. For example, one county may have had three grades and another four, examinations may have been oral or written or both, and the time may have run from twelve months for first grade to eight, five, and three for grades below the first. Thus, it appears that provisions relative to certificates were not determined by law: they were regulated in accordance with the personal opinions of county superintendents.

In the meantime the Civil War reduced materially the number of men in all grades of school work. Indeed, from this time the ratio of men to women began to be reversed; and it is well known that since then women have continued to outnumber the men in constantly increasing majorities. The real facts may be suggested by reference to the enlistments in 1863 in counties like Delaware, from which it was said that not less than forty-five of the best teachers had gone into service; and from Des Moines County where thirty-four enlisted; and from Floyd County where twenty enlisted. How much these enlistments influenced subsequent changes in the relative numbers of men and women engaged in instruction may not be definitely determined, yet it is a fact that women teachers first outnumbered the men in 1862.³³⁴

The result of this change was a large increase in the number of inexperienced teachers. Yet this was not a new situation, for not a single documentary report before that time was free from the query of how to obtain a sufficient supply of competent teachers. Moreover, the problem has remained about the same from that day to the present — occasionally becoming more acute but always occupying a large place in the attention of the educational authorities. Constant demands, too, have been made upon the State to maintain adequate avenues by which trained teachers could enter the service; while certain county superintendents, almost from the establishment of the office on a full time basis, have been endeavoring to raise the standard of qualification. At the same time, the chief opportunity for preparation was afforded by institutes and private schools.

Conflicts sometimes arose between the authority which certified to the qualifications of teachers and the employing agency (that is, the school board) with the result that teachers were sometimes employed and paid without possessing the legally recognized county certificate. There was no penalty for such disregard of authority; and the county superintendent was powerless. Under such conditions it was not surprising that a certain county superintendent reported that he pursued "no particular course" in the examination of teachers and that most of the teachers in his county were incompetent. In many instances he declared certificates had been

issued "at the earnest solicitation" of the employing directors.

There were others, however, who were able to maintain a standard which satisfied, to some degree, the design of placing a premium on experience and higher qualifications. This was notably true of Mr. William Harper of Des Moines County, who in 1865 required a year's actual experience before granting a first grade certificate. At the same time he recommended the grading of compensation according to the license held. Mr. William J. Haddock of Johnson County maintained a threefold classification of certificates. First, there were the "premium" certificates, in which subjects for the examination extended beyond those required by law; and then there were two other classes differing in value as to standing and duration. Muscatine County at the same time provided four grades of certificates, with compensation graded accordingly, women receiving twenty-five to thirty-five and men thirty to forty dollars per month. In some instances the voluntary subscriptions of patrons supplemented the amount raised in the district. Moreover, the average wage in this county was much greater than in the State as a whole — due, perhaps, to the influence of Mr. George B. Dennison, the county superintendent. It was Superintendent Dennison who, in a convention of school directors in 1865, obtained the passage of a resolution recommending the grading of compensation.³³⁵

The discrimination made between men and wom-

en as to compensation was the immediate cause of a defence of the rights of women by a correspondent signing herself as "M. M. F." and who, it is clear, was no other than Mrs. Oran Faville, the wife of the Lieutenant Governor and later the Secretary of the State Board of Education and Superintendent of Public Instruction. Dealing with the problem of the pay of women, this refined and college trained woman championed the cause of those who engaged in the same work as men but who were not recognized as equals in earning power. There was no motive which could have induced this effort to secure equal justice beyond the interest which a woman of character would have in bettering conditions in a State to the prairies of which she had come in the early fifties from a position as teacher in a leading university. She had no ambition to be a "reformer", and was opposed to being classed among the "strong minded"; but it was her belief that "when woman acts in her sphere and labors faithfully and successfully, she should be adequately paid".

From documentary evidence it was pointed out that the average compensation of women for the school year 1863-1864 had been three dollars and ninety-two cents per week. The writer demonstrated the limited resources of persons subsisting on such an amount, and then inquired as to the future. Even this early (in 1864) attention was called to a proposed law in Pennsylvania by which the city of Philadelphia might make provision for retiring teachers after twenty years of service. This fact

was presented to the citizens of Iowa as worthy of notice. It would, however, be more acceptable and wiser, it was said, to pay at the end of one year rather than to make a charity offering at the end of twenty. Thus, nearly fifty years ago the wage problem was brought clearly before the public, the immediate question being the compensation of the women who had for "the past two years . . . taken the places in the school of their brave brothers in the field", and who would seem therefore to have been worthy of an equivalent reward.³³⁶

It was about this time that the first training school conducted by a city district was founded. Through the establishment of this school an impetus was given to the special preparation of teachers — more particularly for graded schools which were then (in 1863 and 1864) receiving considerable attention in this State. Davenport was the first to adopt such an institution; and in June, 1864, Superintendent A. S. Kissell presented an exhibition of the training of teachers in the "intuitive method" of instruction. School officers and teachers, not only from Iowa but also from Illinois, witnessed the demonstration of the work under this new method of teaching which at that time was attracting the attention of educational leaders and associations.

An observer of the Davenport exhibit commented upon the fact that there was a growing impression among teachers that special training was quite as necessary for such labor as for other professions. Even as the mechanic undergoes an apprenticeship

so the teacher, it was said, should prepare for the service which he is to render. Moreover, the results of the first year of this training department, conducted under the supervision of Superintendent A. S. Kissell and his assistants, Mrs. M. A. McGonegal and Miss Mary V. Lee, were subjected to inspection and to a report by a committee of the visitors composed of Mr. M. K. Cross, formerly president of the Iowa State Teachers' Association, Mr. W. H. Wynn, who was superintendent at Hamilton, Ohio, before coming to Iowa, Mr. W. A. Jones of Galesburg, Illinois, Mr. H. Hakes, county superintendent of Appanoose County, Mr. A. M. Gow, superintendent at Rock Island, Illinois, Mrs. John A. Parvin, once a pupil of Mary Lyon and later preceptress of a seminary at Springfield, Ohio, Mrs. J. T. Young, principal at Vinton, Mr. James E. Dow, principal at Burlington, Rev. William Salter, also of Burlington, Mr. Oran Faville, State Superintendent of Public Instruction, and Mrs. S. G. Cleveland.

The Davenport school, declared the committee, was distinguished in three particulars: first, the material of instruction and the method of communication was not only supplied theoretically, but the teacher was required to reproduce that which had been presented in the training, and the pupils of the institution were therefore expected to interpret and to criticize the work of each other and also "to provide sketches of their work before entering upon it"; secondly, the intuitive method of instruction was the distinctive feature, by which a pupil was re-

quired "steadily to advance by successive steps from the known to the unknown, from the concrete to the abstract" (a method which was considered unequalled in its adaptation to "all grades of primary education"); and thirdly, the committee was "happy to observe the prominence" which was given to religious instruction as well as the "new and pleasing methods, by which Bible truth is communicated to the minds of the children."

It is noteworthy that from this training school there were in 1864 eight graduates, among whom the name of only one man appears, that of Mr. Jens J. Nagle. Furthermore, the subjects of the graduating essays were of more than ordinary interest, since they related to topics which were not commonly discussed. For example, *Pleasure Derived from the Appreciation of Color*, and *Early Instruction in Number, Size and Weight*, and the *Influence of Early Intuitions*, indicate very clearly the character of the instruction presented by the supervisors of the department. That women could produce essays of credit on such subjects appears to have been surprising to those in attendance, since it was reported that "the essays formed the best series of productions from lady graduates we ever heard. They showed an acuteness of perception and a degree of cultivation which was certainly remarkable."³⁷

It will be seen that this training department was established to meet the needs of the local district and not for supplying trained instructors for other sections of this or other States. It was pertinent, then,

for "J. P." (Jonathan Piper) to inquire as to what should be done to keep up the supply of teachers — a question, he said, suitable to present to statesmen and philanthropists. It required 9000 teachers at that time (in 1865) to operate the schools of the State, while the Normal Department of the State University was graduating one one-thousandth of that number. The loss of young men from the teaching ranks during the Civil War was felt to be very great; and while it was pointed out that the higher institutions would aid in supplying the demand, Mr. Piper was certain that there would be great advantages in establishing "not less than one first rate high school" in every county. He would have the State educate all those who possessed the requisite qualifications for teaching and who would agree to give two years of service to the Commonwealth.³³⁸

Governor Stone in presenting the claims of the State to a complete educational system declared, in his message to the General Assembly in 1866, that there must not only be funds but there was need also of an increasing corps of thoroughly trained and competent teachers, for which the demand was insistent. But the normal school bill failed to pass, and recourse to schools already established appeared to be the only remedy. Normal departments were created in the colleges; and numerous ventures of individuals were made to supply the demand for special training. Among the individual enterprises of the time was the institution of Amaziah Hull and Jonathan Piper — a classical normal school — at

Oskaloosa, which competed to some extent with the normal department of Oskaloosa College then under the presidency of Mr. George T. Carpenter.³³⁹

Reference has been made to the narrow and confusing system of certificating teachers, as well as to the lack of authority on the part of both the Superintendent of Public Instruction and the county superintendent to enforce such provisions as they might approve. In 1862, however, the General Assembly in combining several laws of the State Board of Education required all teachers to pass a county examination or forfeit pay for the time taught without license. This legislation destroyed the regulation by which the Board of Education had decreed that graduates of the Normal Department of the University should be entitled to teach in any county without examination. Moreover, this provision was not restored, although recommended in 1868 when the practice of requiring a county examination following the issuing of a diploma from the institution was declared by State Superintendent D. Franklin Wells to be "absurd and unjust."³⁴⁰

It was not until 1864 that the State Superintendent was authorized and required to issue blank forms for county certificates, and not until 1867 that more than one grade was recommended by the State Superintendent. In the latter year Superintendent Wells issued three blank forms for a first grade, a second grade, and a premium certificate — the latter to be granted only to those who had passed in the subjects of "physical geography, physiology, alge-

bra, and natural philosophy, or their equivalents, in addition to a thorough examination of all the branches required by law." None of these certificates could be extended beyond one year, and the second grade might be issued for any time less than a year.³⁴¹

This was an elementary effort to establish a State system of certificating through the action of county superintendents, but its influence in securing permanency in the recognition of qualifications or in increasing the teacher supply may be ignored. That the "vocation" of teaching was then temporary is well illustrated by the statement made in 1869 that among all the members of the State Teachers' Association there were only three who had been members twelve years before and that no school district in the State then had a principal or superintendent who had been employed for four years. Furthermore, it was asserted that the longest period of service in any one of these positions was but seven years.

Mr. Leonard Farr, the county superintendent of Henry County, observed that one of the causes contributing to this common tendency to abandon teaching was the interest in "enterprise and speculation" which the time (1869) afforded. The attention of men was drawn from educational pursuits, and in many instances effective school men gave way to inexperienced teachers. Again, it was suggested that if subdistricts were authorized to construct and furnish homes for teachers near the place of employ-

ment many men, who otherwise would abandon the work, could be retained. This plan was thought feasible, notwithstanding the fact that wages in that county ranged from twenty to thirty dollars in summer and from thirty-five to forty in winter.³⁴²

Direct efforts, however, were being made in some sections of the State to meet the increasing demand for teachers as well as to provide means for retaining them in service for a longer period. For example, Jasper County was among the first in which a four weeks institute was provided for the teachers. The results were so satisfactory that other counties were probably influenced to follow the same plan. At the same time an extraordinary session of what would now be characterized as a summer school of six weeks duration was conducted in Winnebago County through the generous action of the board of supervisors. This county had been settled very rapidly, and the demand for schools was so insistent that local interests sought a means of supplying teachers. There were individuals who as early as 1869 suggested "a good, thorough, normal department connected with at least one graded school in each county" as being of more benefit than any other means in providing the necessary preparation — a suggestion which did not materialize under State authority until forty years later.³⁴³

But these efforts and suggestions looking toward improvement in the quality as well as in the continuity of instruction do not necessarily lead to the conclusion that all of those inclined to engage in the

laudable work of teaching were eager to seize upon the opportunity for advancement. Indeed, the records reveal the truth that out of a total of 12,575 teachers employed in the State not more than 750 had attended any institution for their training beyond the few weeks spent annually at the institute. It is not surprising, therefore, that Superintendent Kissell filled fourteen pages of his printed report in 1871 with a discussion of the needs of teacher training, in which he outlined a system of primary normal schools in conjunction with a central institution.³⁴⁴

The confusion arising from the custom of county examinations, the varying standards, and the lack of agreement as to standards was in 1870 approaching a point where it would have been opportune to provide a State system of certification. The frequency of examinations, either private or monthly, the movement from county to county where standards varied, and where it often happened that a rejected candidate in one county would succeed in securing a good grade of certificate in the one adjoining, the conflicts between the county superintendent who stood for advancement and the wishes of school authorities, and the employment of teachers who made the lowest bid—all these petty annoyances made conditions anything but promising. The situation may be further illustrated by the following:

The supply of teachers was inadequate to the demand, and popular clamor ran so high that many [directors] threatened (which threat was in a few instances put into effect) to employ teachers not holding certificates. A com-

promise was effected upon this, whereby the County Superintendent should receive a written request from the Sub-Director that he grant to the applicant a certificate, as sufficient to excuse the applicant for non-attendance at the Institute, and the Sub-Director so requesting was thereby bound to sustain future Institutes.³⁴⁵

For these chronic troubles there were proposed certain remedies, none of which, however, were adopted at once. Among others it was recommended that all examinations be written, and that there be associated with the county superintendent two competent persons to pass upon candidates. That is to say, a county examining board should be established, the counterpart of which is now found in many States. Again, some enterprising districts supplemented the low wage paid from the school funds by private contributions from patrons—a practice which led one observer to declare that it was “humiliating for a successful teacher to be jewed down in salary” because someone proposed to teach the school for half price.³⁴⁶

The *Code of 1873* made no provision for continuing the ex officio State Board of Examiners which was composed of the faculty of the State University. And so, until the creation of the present State Board of Examiners there was no opportunity for a teacher, no matter what his relative position might be, to obtain professional recognition through a State license.

There were promises of better conditions, however, and the act of the General Assembly in 1874

in providing for a more effective county institute was not the least important element in their fulfillment. What this change meant will be further explained in chapters dealing with the institutes, but that the recommendation for the law was sustained by good authority is shown by the message of Governor Cyrus C. Carpenter in 1874 wherein he observed that "it becomes us to neglect no means calculated in any manner to advance the standard of the instructors of our youth." It was his opinion that if the General Assembly should not deem the occasion opportune for the establishment of normal schools a "tentative substitute", both cheap and effective, might be found in the encouragement of institutes by providing for terms of several weeks and for competent lecturers therein.³⁴⁷

Thus the main contention relative to teachers, subsequent to the enactment of the law of 1858, and which continued for a decade and a half, appears to have been in regard to qualifications, certification, standards to be established by local authorities, tenure of service, and the readjustment of the teaching body due to the Civil War. At the same time, the professional side of the occupation was demanding recognition through State examination and State control of the training of teachers.

XIX

PRIVATE ENERGY PROVOKES STATE COÖPERATION

IT was about the year 1867 that the agitation for some adequate means of training teachers for the common schools began to occupy the attention of the public. The State, it was held, was bound to provide a certain amount of the training which seemed essential; but since State provision presented a problem which required time for solution, it was only natural that many private institutions, academies, schools for teachers, or special departments in the private colleges should be established to meet the demand. A feeling was developing that something in addition to the ordinary academic preparation was necessary to the training of teachers. While the movement leading to the formation of a professional spirit among Iowa teachers can not be followed in all of its phases, it will, nevertheless, be possible to indicate its leading aspects.

Among the earliest of the incorporations or associations for the training of teachers was the Gregg Normal School Association of Dallas County, the object of which was the establishment and maintenance of a normal school at Adel, Iowa, and the construction of suitable buildings for that purpose.

To control the affairs of this organization, which was established in 1867, provision was made for a board of twelve trustees, nine of whom were to be appointed by the members of the corporation while three, the State Superintendent of Public Instruction, the county superintendent, and the chairman of the county board of supervisors were to be members *ex officio*.

The Gregg Normal School Association derived its name from a citizen of Massachusetts who donated a quarter section of land for the purposes indicated by the name of the association. Moreover, at the time of incorporation it appears that the board of supervisors proposed to submit to the people a proposition to set aside the swamp lands of the county for the same purpose — a proposition which seems to refute the statement commonly made that such institutions were not demanded by the people. In February, 1867, Mr. L. B. Raymond, the editor of the *Iowa Instructor and School Journal*, observed, in reference to this innovation, that “if we cannot have a State Normal School, let us, by all means, have County Normal Schools.”³⁴⁸

Another effective agency of a private character was the training school established at Grandview in 1874 and known as the Eastern Iowa Normal. Moreover, with this institution, which was under the management of Mr. Edwin R. Eldridge, there was connected a model school, the raw materials for which were furnished by the public schools of Lettsville and Kossuth. It was here that an impetus was

given to the use of public schools as practice schools for the training of teachers. The institution at Grandview was designated as a complete training school for teachers—the first of its kind in the State.³⁴⁹

At the same time, certain other sections of the State seem to have been abundantly supplied with the means of fitting teachers for their work. Henry County had a noteworthy group of institutions composed of the following: a normal department in the local high school at Mount Pleasant, a department for teachers in Iowa Wesleyan University, a department for the education of teachers in both English and German in the German college in connection with Iowa Wesleyan University, Howe's high school and female seminary at Mount Pleasant, Mount Pleasant Female Seminary, an academy at New London, and Whittier College at Salem. These schools were taking their part in the preparation of teachers for the public schools.³⁵⁰

Two years after the establishment of the one State Normal School in 1876, the province of the normal school was thoroughly discussed in a series of papers prepared by Professor Samuel N. Fellows of the chair of didactics at the State University of Iowa, by Principal James C. Gilchrist of the State Normal School, and by Henry Sabin, superintendent of schools at Clinton and president of the State Teachers' Association. It was suggested at the time that "when the history of education in Iowa is written, this able, dignified and scholarly discussion

should find a place in its pages." The suggestion is altogether worthy, but in this connection it will be sufficient to observe that a definite movement had been started which would ultimately result in a body of trained, classified, standardized, and State licensed teachers. Some of the results which these scholarly men wished to secure have already been realized, while others are yet to come.

Nor should the historian fail to note the fact that one of the authors of this series of papers, Professor Fellows, then occupied the only position of its kind in the United States, namely, a chair devoted to lectures on the theory of teaching. No less an authority than Hon. B. G. Northrop of Connecticut said in 1876, on the occasion of the establishment of a chair of didactics at the University of Edinburgh, that "it is a reproach to us that no similar professorship exists in any American College, except the State University of Iowa."³⁵¹

The discussion referred to above was not only timely but also suggestive of what should be accomplished in the minor institutions called normal schools—for they were being created as separate plants or as divisions of other institutions very rapidly. For example, Iowa College offered a course for teachers in 1880; the Trustees of Iowa Wesleyan University provided for a normal department about the same time; the Southeastern Iowa Normal School was organized at Columbus Junction; the Des Moines Collegiate Institute was established, becoming Callanan College in 1880 but continuing as a

school for teachers; and the Southern Iowa Normal, which already had established a reputation, added a model school in 1883. Indeed, in 1883 there were said to be twelve normal schools in the State, with about fifty instructors and twelve hundred students.³⁵² These facts indicate something of the private efforts which were made to satisfy the demand for some kind of special preparation, although it is clear that all of the institutions which went under the name of normal schools did not come within the limits prescribed by the authors of the series of papers above mentioned.

It was in March, 1882, that the district of West Des Moines provided training for those of the high school graduates who desired instruction in the theory and practice of teaching under competent directors. In the following year Marshalltown undertook the same work, having employed for the purpose a skilled supervisor. Here also the preference was given to high school graduates of the city, since only a limited number could be cared for. In 1889 Sioux City adopted a similar plan to meet the increasing demand for teachers in the local schools. A normal class was organized in the Cedar Rapids high school and also in Manchester in 1886; while Maquoketa provided such courses in 1889.

About this same time several other cities were offering some instruction in the line of the theory or practice of teaching — particularly in organized high school classes which for a part of the year reviewed the common branches and possibly made use

of a text on didactics. East Des Moines, Clinton, Keokuk, Muscatine, Oskaloosa, East Waterloo, Ottumwa, and probably others, where no training school was provided, made some provision to qualify their own graduates for grade work. In some instances, however, there was an insistence on a year's experience in the rural schools.³⁵³

It is interesting to note that there were other combinations in the State by which a normal school and the public high school connected therewith were placed under one management. The Woodbine experiment is a type of this plan which proved eminently successful. But all the devices entered into by which economy and efficiency might be increased, while the real result desired was a bettering of the general tone of the entire teaching body, can not be enumerated. Those mentioned are suggestive of a period of experiment and of a disposition to take advantage of any opportunity that would aid in solving a difficult problem.

It was in 1877 that Superintendent von Coelln requested county superintendents — partly, it was said, at their suggestion and for their protection — not to issue certificates to women under seventeen nor to men under nineteen years of age. It is well known that previous to that time boys and girls of not more than fifteen years of age were employed in the rural schools — which suggested the desirability of legislation establishing some legal age limit. During the same year some uniformity in examination was secured through questions issued from the

office of the Superintendent of Public Instruction, for at least one-half of the lists came from that source. Again it appears that this action was in response to the suggestion of county superintendents, who were desirous of coming to some agreement on standards of qualification among the counties of the State. At the same time (in 1877) the General Assembly was called upon to enact laws providing for certification for a longer period.³⁵⁴

Some of the difficulties experienced by those authorized to examine and license teachers and who were desirous of maintaining a creditable corps of instructors may be illustrated by the following incident:

Last summer [1879] a young lady came to the teachers' examination and presented a petition, signed by every elector in the district, praying that the bearer be granted a certificate to teach. Her examination showed that she had not even a respectable acquaintance with the rudiments of the common school branches; and when she was informed that she could not receive a certificate of any grade, she simply remarked, "they want me to teach, and I *will* teach, anyway." It is needless to add that she did keep school and received the money.

In a case of this kind the county superintendent was powerless to prevent the infraction of the law.

The superintendent who cited the above incident was Mr. W. E. Parker, one of the most efficient school officers in the State. It was he who led in the demand for a recognition of teachers who, having once passed an examination and having also had an

experience of five years in teaching, should be certificated by the State and authorized to teach in any county therein. There ought to be a point, he said, at which examinations should cease.³⁵⁵ But at that time there was no authority through which State licenses could be obtained; neither was there any such authority after 1873 until 1882.

The minimum age of teachers had been established in 1877 at nineteen and seventeen for men and women, respectively; but in 1889 Superintendent Sabin declared that it would be advisable if the ages of both were fixed at eighteen. Doubtless the hope that some authority would soon be granted to issue county licenses for two or three years at least, where experience and scholarship were both taken into consideration in determining qualifications, was a factor in the argument for a mature body of teachers.

The great labor involved in sifting the multitude who endeavored to qualify for situations in the public schools is shown in the examinations for the year ending in October, 1890. There were, during that year, 28,500 persons before county superintendents for written examinations. Of this number it was recorded that about 4000 were rejected; while among the total number of those who were licensed to teach more than 8000 had no experience or less than one year of experience in teaching. In other words, one-third of all the candidates for positions were thus limited, while this number was more than half of the 15,700 required to operate the schools of the State.

It was shown at this time also that the problem of an effective teacher supply was becoming more and more a matter for serious consideration; for, while the number securing certificates had increased thirty-eight percent and the schools but twenty-three percent, the number of inexperienced teachers had at the same time risen to nearly fifty percent of the whole number of teachers. Moreover, during the decade from 1880 to 1890 the men teachers had decreased thirty percent, while the number of women teachers had increased fifty percent.

Notwithstanding this large increase in the number of inexperienced persons who were seeking to enter the public schools it was the conclusion of Superintendent Sabin that there was manifest improvement — due in some measure to the influence of such agencies as the normal institutes, reading circles, and the “general dissemination” of books and periodicals. He would, however, insist upon the adoption of some means looking toward improvement in the future, and so he urged the adoption of a statutory provision that no one under eighteen years of age should be employed in the schools. It was his opinion also that the teacher should be employed by the entire township board, and under a contract extending through the year.³⁵⁶

It was in 1893 that Superintendent Knoepfler recommended the creation of a State board for the grading of papers sent up from the examinations held in all the counties, in order that the inequalities which had been common for so many years might be

removed. Although State questions, as they were designated, were issued from the Superintendent's office for six of the monthly examinations required by law, there was no power to compel their use in any county. The differences in grading were so pronounced that it could be only a matter of time when the recommendation of Superintendent Knoepfler would be adopted. In not fewer than twenty-five States at that time all the examinations were prepared either by the State Superintendent or by an examining board. The law then did not recognize certificates by grade, although the county superintendents issued them in several forms. Thus they often determined the salaries of teachers by the grades of certificates issued, for in many sections of the State the compensation was based upon the certificate held.

The wage question had reached such a stage in 1893 that schools remained closed in many instances because of the small compensation offered. It was said that in a single county fourteen districts were without schools for this reason. Many of the most competent men and women refused to continue in the occupation under such conditions. In one instance a county superintendent asserted that for the third time he had reviewed his examination manuscripts in order to select persons to fill the vacancies in his schools.

It so happened that during the year 1893 the Commissioner of Labor made an extended investigation through which the actual expenditures of

teachers in town and in rural districts were obtained. It was found from the reports submitted that the average annual expense of men teachers in towns amounted to about \$316 and in the rural districts to about \$205. For women teachers in the same situations the expenditures amounted to \$309 and \$198 respectively. While these sums were but approximately true, they may nevertheless be placed against the average monthly compensation which, at the same time, was reported by the Superintendent of Public Instruction to be for men less than \$40 and for women a little above \$38 per month in rural districts. In the sixty-three largest towns of the State the average was \$45 per month, while it was considerably less than this in other graded schools where a salary of \$45 per month was the exception — the greater number receiving less than \$40.

Accompanying the summary of the Commissioner of Labor were the results of a special investigation by Superintendent Amos Hiatt of East Des Moines, wherein it was shown that sixty teachers paid for necessary expenses an average of \$367, while the total income averaged \$366. Although great differences might exist among individuals, the average clearly indicates that the occupation was not self-supporting and that some other employment must have been secured during the year to aid in balancing accounts. The Commissioner of Labor declared that "of all the professions, that of a teacher in our public schools is the least remunerative, and hundreds of teachers in this State would be compelled

by want of the necessary means of subsistence to seek other fields of employment, but for the support received from relatives or friends free of cost or at a nominal price.''³⁵⁷

A woman, whose name is unknown, advised the Commissioner of Labor as follows:

I know a man in this county [Howard] who can neither read nor write, he never spent a dollar of money nor an hour of time in the cultivation of his mind. This man works at common labor on a farm, and receives for his labor \$18.00 per month and board and washing. I spent several hundred [dollars] of hard earned money and several years of valuable time educating myself for a teacher. I teach three months in the summer, at \$26 per month, and four months in the winter, at \$36 per month. This is the salary paid in this township to a teacher holding a first grade certificate. I received for my seven months labor \$186, but during these seven months I pay \$70 for board and do my own washing, which leaves me \$116 for all other purposes during the year. I find that the ignorant man receives for seven months labor, over and above his board and washing \$126, or just \$10 more than I receive for my education. Furthermore, the ignorant man is not required to buy books and subscribe for journals, and attend meetings, and study to keep pace with this progressive age; he is not required by custom to attend a normal institute every year and pay \$1 tuition and \$1 for a certificate, and pay board two or three weeks in some large town, in order to get a legal right to pursue his chosen avocation; he is not expected to buy deportment cards or rewards of merit for the family by whom he is employed; he is not expected to dress in that neat, tidy manner that would make him a model of refinement for the edification of a rising genera-

tion. . . . I am a woman, but I insist that the service of an educated woman entrusted with the responsibility of instructing the youth of our country is worth as much, if not more, than the service of a common farm laborer.³⁵⁸

Attention may be called at this point to an address of Hon. S. M. Clark before the State Teachers' Association in 1882. The entire production is worthy of consideration in this connection since it bears directly upon the compensation of teachers and the reasons for the limits within which it had been and must be maintained. The community, he declared, employed the teachers on the theory that "teaching is youth's work and can be done at *youth's wages*; that it can be the work of inexperience and hence done at the wages of inexperience." The defect, as he saw it, was in the system, for the wages paid (in 1882) by the community were in fact prodigal "to youth and inexperience." Under prevailing conditions the level must be "youth's wage", and "men and women who give their lives to teaching must confront that grim and disheartening fact." In his characteristic manner he concluded that the "present teaching price is at that arbitrary rate above competition, which is at the mean of the highest price the public is willing to pay for youth's work, and the lowest price which experienced men and women are willing to teach for." The influx of women, youth, and the inexperienced must make the compensation "cheap and uncertain". And this was pointed out as the "central defect of our system of instruction."³⁵⁹

There could be no doubt as to the truth of the thoughtful editor's conclusions, although unpleasant for contemplation by those who heard them. Neither was there any remedy that the wisest of them could propose which would change the situation within a generation. Nevertheless, during all the years since teachers were first employed under a free school law the lack of a competent teaching body for all the schools had been deprecated. If the inexperienced and the youthful could be eliminated it would appear that compensation must be increased or schools be closed. A decade or more after Mr. Clark had delivered his address it was estimated that the schools required 17,000 active teachers; while it was known that, under the method of certificating, more than 25,000 were declared to be able to teach. The rural school was the training ground of all the multitude who would later endeavor to rise by individual effort, or through some institution, to what was held more desirable, namely, a place in a graded system. Relatively the compensation in the latter position might be less indeed than in the former, but the attractions were such that sacrifices would be made for the more specialized work.

While the average teaching life was estimated in 1895 at four years — requiring therefore that one-fourth of the entire number of teachers be renewed annually — no provision existed to prevent the actual results which were so ably presented by Mr. Clark in 1882. That is to say, no limits as to training or preparation beyond the certificate of the

county superintendent were required; nor indeed were such prerequisites obtainable by a sufficient number of persons to keep the public schools in full operation in all the counties. It was foreseen that to establish radical measures and to fix standards that would ultimately close the schools for a time was not desirable; but some elementary instruction in school management was nevertheless extremely essential. It appears, also, that there had never been, previous to 1895, such an insistent demand for trained or experienced teachers; and so the time seemed opportune for the establishment of restrictions on those who were seeking to occupy the places of others whose teaching life had ended.

With a view to the accomplishment of this most important change, Superintendent Sabin in 1895 recommended the establishment of summer schools at the State University for high school teachers, and at the State Normal for grade teachers. In advising these measures he referred to the efforts of Minnesota in holding summer sessions at the University of that State. It was obvious, he declared, that such State institutions with all their expensive equipment should be employed in such needful work during the long vacations. Furthermore, there were at that time (in 1895) one hundred and thirty four-year high schools in this State, all of which were fairly well equipped with "libraries, apparatus, and competent instructors." These the State should use in the special preparation of teachers. It was clear that among the instructors in the public schools there

were many highly trained men and women who could aid the youthful teacher in a practical way, while the State should direct and control in a measure, through the office of the State Superintendent, the form that such preparation should take. Moreover, the schools that met with the requirements ought to be recognized by the State in some substantial way.

Not only should the high schools and State educational institutions of higher learning aid in improving the elementary instruction in the public schools, but the colleges of the State should be encouraged in the fitting of more men and women for such positions. A possible inducement lay in authorizing the State Board of Examiners to recognize approved institutions by the granting of certificates on the completion of certain prescribed college courses. Again, there should be, in addition to the means already available, a school established "in each section of the State" for the training of elementary teachers — such institutions to duplicate in no way the work already inaugurated at the State Normal School. In other words, Superintendent Sabin would confine these schools to the training of rural teachers, while the University and the Normal School should prepare high school and grade teachers.³⁶⁰

Governor Horace Boies observed, in 1894, that in his opinion the larger schools were fairly well supplied with thoroughly educated and competent teachers. Therefore, no great necessity existed for increasing the advantages for their preparation or

training. This was not true, however, of the rural schools whose teachers could not be blamed for their insufficient equipment, since they had made all the preparation that their wages would warrant. Moreover, it was his conclusion that an opportunity should be offered for less expensive training through the effective use of schools already established; and so he suggested the adoption of the New York system, which would require but a small outlay on the part of the State in providing free tuition and free texts in high schools and academies, on condition that service be returned to compensate the State for the special instruction.³⁶¹

The recommendations of his predecessor were renewed by Superintendent Richard C. Barrett in so far as they pertained to summer schools at the State University and the State Normal School—except that the session at the latter should continue for twelve weeks and become ultimately a regular term of the year. Furthermore, he suggested that a “chair of pedagogy” should be provided at the College of Agriculture and Mechanic Arts; while not less than three additional normal schools should be established by the State, to be located by the “executive council, judges of the Supreme Court, or a special commission”.³⁶²

Although the State had established institutions for the preparation of teachers and for a time had permitted the State Board of Examiners to issue certificates to graduates of such courses without examination, through some reactionary influence,

which doubtless could be traced, this provision of the *Code of 1897* was repealed in 1900. This practically discredited, it appears, the work done under the supervision of the State as well as in institutions of like standing elsewhere; for the authority to grant teaching certificates good in any county of the State, either on the completion of required courses or on documents from other States, was arbitrarily removed by the General Assembly.

Without delay this limiting of the discretionary power of a State Board of Examiners until it was almost useless was condemned and a recommendation was immediately made for its restoration. Not only should the work of the State institutions be thus recognized, but that of the colleges also should receive recognition — provided they should comply with certain standards. That is to say, all possible encouragement should be given to these higher educational corporations to make the equipment of teachers a special feature of their courses. The General Assembly in 1902 restored the desired authority and at the same time included the provision relative to the colleges as proposed by Superintendent Barrett. Thus another advance was made in the long struggle to secure a recognized profession of teaching.³⁶³

Previous to 1896 certificates issued by county superintendents were limited to one year or less; and so it was considered an advantage when the two-year license was authorized. Nevertheless, these certificates were good within the county lines only;

and the suggestion that they be made valid in any county upon being registered therein seems to have been the first direct proposition for establishing a State-wide system of certificating teachers. The county examination had long been discredited as a system, when the feasibility of employing the State Board of Examiners in every instance became a leading question before the teachers in their annual meeting in 1901. While it was agreed that a county examining board might be maintained, the range of the examinations should be limited to the work contemplated — as for rural, primary, grammar, or high school classes — and no one should be required to write in any other field than that in which he taught. It was thought that the county superintendent should become a local member of the State Board of Examiners, the latter body being authorized to issue three-year county certificates valid throughout the State. In such cases all manuscripts should be graded by the State Board, and the certificates thus granted should ultimately be made valid for life.³⁶⁴ Thus, there was maturing a movement which would remove permanently the long established custom whereby one man passed upon the fitness of applicants for a teacher's position.

According to the act of 1902 the State Board of Examiners approved sixteen institutions which had requested inspection as to their ability to satisfy the conditions required in the preparation of teachers. From the first report of the inspector it was learned that not less than three hundred students were pur-

suings courses primarily for teachers, and therefore the professional side of the work as contemplated by the law was prospectively inaugurated. Another aid in establishing the same was declared to be in the application of some of the leading high schools for an accrediting which would admit their graduates to the examination provided for a two-year State certificate.

Thus it is little more than a decade since the first effective efforts were made to eliminate the county lines as governing the value of the common school teacher's license.³⁶⁵ The more complete recognition of the State educational institutions and colleges, by which the graduates from certain courses thereof might be certificated without any examination, was another incentive toward an increase in the number of those who would enter the higher grades of teaching and added largely to the group of teachers holding authority from the State Board of Examiners.

It was said in 1908 that "never before in an equal period has there been such widespread attention to teacher preparation, such effort on the part of teachers to better equip themselves for the important work of teaching, such marked increase in the aggregate salaries paid teachers, and such a general turning of young men and young women to the secondary schools and colleges for instruction." At the same time the summer school had come to occupy a more important place, causing the customary county institute to lose in proportion — all of which was indicative of a desire to employ the usual long vaca-

tion in advancing the qualifications. The new certificate law of 1906 had just become adjusted so that its effect might be determined to some extent. This law, in addition to events that had preceded its enactment, was rapidly changing the conditions by which the teacher had once been limited. The increase in professional spirit was declared by county superintendents to be noteworthy.

While these changes were occurring, the teacher supply had been gradually lessening until many schools were closed — over four hundred being thus reported from ninety-four counties. Some placed the blame for this situation on the new plan of certification; but others sought for deeper reasons, asserting that better opportunities in other occupations, a full year of employment, general prosperity, better pay in other States, the little value placed by the people upon education, and new fields of labor for both young men and young women were the major causes for this loss.³⁶⁶

Since the rural schools must be the first to feel this change it was fortunate that the legislation of 1911 provided for the preparation of those who, for a time at least, would be available rural teachers. Just how this legislation may satisfy the demand is yet to be shown, but the State has assumed not only the oversight and in a measure the control of these specially designated schools, but it has also undertaken their maintenance in part. The recent increase in the amounts so appropriated points to an enlarged opportunity for creating a constituency

which will be available when the inevitable vacancies occur.

In conjunction with these endowments certain requirements are made relative to the subjects which must be included in the curriculum — notably those of elementary agriculture and domestic science — and these will become in due time a part of the increasing list upon which teachers must be examined. There will also be, after July 1, 1915, an additional qualification which must precede the application for a certificate, namely, twelve weeks of normal training, which, however, may not apply to those having certain experience. Finally, there is the stimulating statute which provides for a minimum wage and which prevents the underbidding of former days.³⁶⁷

Many causes have contributed to bring about the changes in the teacher's qualifications, in licensing, in tenure of position, in public opinion relative to what constitutes teaching, and in the attitude of the State toward the preparation of those who are to operate the schools. The possibility of State action when necessary to provide inducements that would retain a sufficient force to supply the demand is illustrated by the adoption of the minimum wage act. Some of the influences that are responsible for advancement have persisted from the time of the establishment of the first schools; while others are of recent origin, and their advent into the school system marks a clearly defined epoch.

The teachers themselves as an active agency in

furthering their cause will be discussed in later chapters on teachers' assemblies and associations. Indeed, one may say that no body of public servants has done more to secure advancement in their own ranks than the public school teachers. The reading circle courses, the libraries in county or townships supported wholly by teachers, the summer schools, the insistence upon some practical training by the supervisory heads of leading schools, the recognition of effective service as necessary to a reasonable compensation, and the respecting of contracts under what may be a sacrifice are some of the commonly recognized ways in which the teaching body of this State has made itself felt—often against great odds.

PART V
TEXT-BOOKS IN THE SCHOOLS

XX

THE RECOMMENDATION OF TEXT-BOOKS BY STATE AUTHORITIES

IN the general introduction reference was made to the practices in the early days when each teacher was his own authority as to the selection of text-books and the period of their use. On the frontier almost any book was acceptable, since the supply was exceedingly limited. Indeed, it is probable that in many neighborhoods the books used were those which had been purchased for the schools in other States; for on emigrating to Iowa the pioneer families usually included the text-books as a part of the baggage. And so, when the district school was opened the text-books of the neighborhood were collected and used without much regard to uniformity. Thus in the matter of text-books the early school was accommodated to the conditions of the frontier.

By the legislation of 1849 the Superintendent of Public Instruction was required to recommend text-books; and it was in accordance with such provision that Superintendent Benton submitted the following: the Sanders' series of readers and spellers, a first book in drawing by Josiah Holbrook, Winchester's penmanship in four books, Mitchell's

geographies, McElligott's Young Analyzer and Manual, Parley's Universal History with Engravings, Colburn and Perkins' arithmetic, Wells' grammar, Wilson's History of the United States, and Webster's primary school and pronouncing dictionary.

Of course there was no authority to compel anyone to use any of these texts. Indeed, it was observed at the time that until the counties became sufficiently populated to justify statutory regulations little could be done toward the adjustment of books to the needs of individuals or to the advantage of school administration. The only remedy then suggested made the community the agent in adapting itself to existing conditions and, at the same time, discouraged the promiscuous buying of books that would increase the confusion of texts. It was urged further that teachers should not recommend books which were not included in the State list. Moreover, an opportunity was offered for the examination of books and supplies which had been collected in the office of the Superintendent at the capital through samples presented by publishers. In 1849 there were some three hundred volumes in this text-book library which were accessible to citizens of the State.⁸⁶⁸

When Superintendent Eads came into office in 1854 there was almost a complete change in the list of text-books which were considered as suitable for the Iowa schools. Among those recommended were: Webster's dictionaries which were regarded as the

only work "without a rival in the annals of English lexicography", Calvin and Eunice Cutter's books on physiology and hygiene, Lincoln's chemistry, Parker's natural and experimental philosophy, Pinneo's grammar, Mitchell's geographies, Burritt's Atlas of the Heavens, Wood's botany, Ray's arithmetics and algebra, McGuffey's readers and speller, Foster's book-keeping, Emma Willard's history, Parley's history, Bayard's Exposition of the Constitution of the United States, and Mansfield's Political Grammar. These were submitted to the school authorities as an approved collection of titles from which practical texts might be chosen.

The several agencies of instruction were called upon at this period to aid in securing uniformity in the use of books in the districts — a condition which was declared to be absolutely essential to the proper advancement of the pupil. It was urged especially that uniformity in texts would result in a great saving to parents since frequent changes would be avoided. Interruptions in the work of the schools were of frequent occurrence, it was said, because of changes in texts made to gratify agents or to satisfy the personal preferences of teachers. Such practices were detrimental in any case and destructive of all efforts at uniformity.³⁶⁹

In a subsequent report, submitted in 1856, Superintendent Eads revised and enlarged his original list by adding the following: Greene's grammars, Bernard's History of the United States, Webster's Definer, the Constitution of the United States by

W. Hickey, Cotton and Fitch's geographies, Cowdy's Elementary Moral Lessons, Brookfield's First Book, and Parker's Aids, Davies' Legendre, and Davies' Surveying. A teacher's library of five volumes contained Kame's Elements of Criticism, by J. R. Boyd and Welch's Analysis of the English Sentence.³⁷⁰

Mr. M. L. Fisher who succeeded Eads as Superintendent of Public Instruction made no changes in the list of texts already recommended, not because there was no need of change but, as he said, on account of the great expense that would be imposed upon the patrons of the schools. Since an entire change would involve the expenditure of an amount equivalent to a tax of \$100,000 he was unwilling to inflict the burden upon the people. Moreover, the schools were more dependent upon good teachers than upon good text-books.³⁷¹

Upon the succession of the State Board of Education and their Secretary to the functions of the State Superintendent in 1858, a committee appointed for the purpose of revising the text-book list seems to have approved generally the selections of their predecessors. There appeared, however, in the new list Gray's botany, Norton's Primary Natural Philosophy, and Mayhew's book-keeping. But the committee could not agree on the grammar to be recommended, Bullion's, Clark's, and Pinneo's each having an adherent. The Secretary, it seems, was finally given authority to decide, whereupon Pinneo's book was retained. The committee agreed

heartily upon the fact that frequent changes in texts should be avoided, and that some provision ought to be made whereby such books might be sold throughout the State at a uniform price.³⁷²

During the second session of the State Board of Education a resolution was offered to the effect that all recommendations of text-books already made be withdrawn and that district boards be authorized to adopt texts without suggestions from any higher authority — provided, however, that no local action should in any way affect the statute of the Board of Education relative to the exclusion of the Bible from the public schools. The matter was tabled at the time, and that no further action was had upon it is evidenced by the acceptance later of the report of the committee on text-books. A minority of this committee considered it inadvisable to recommend any general changes. Indeed, it was felt that “the executive officers of the school system” would have “abundant occupation in allaying prejudices, correcting misapprehensions, and overcoming other difficulties” without bringing upon them “the odium of advising a change of text-books”.³⁷³

Some modifications in former lists were nevertheless made at this time. Sander’s series of readers was restored; the Spencerian system of penmanship superseded Winchester’s; Bullion’s grammar displaced Pinneo’s; Bradbury’s school music was introduced; Wilson’s history was provided instead of Willard’s; and Palmer’s bookkeeping, Well’s natural philosophy, science of common

things, and chemistry, Robinson's surveying, geometry, and trigonometry, Hooker's physiology, Brocklesby's astronomy and meteorology, and Hitchcock's geology were also substituted for the same subjects or were appended as optional. All the geographies then published were unsatisfactory to the committee, and so the Secretary later decided to add Monteith and McNally's latest edition.³⁷⁴

By an act of the General Assembly approved on April 2, 1860, the view of the Board of Education was incorporated in a statute which transferred the selection of text-books to the electors of the district township, it being provided that the authority might be delegated to the district board.³⁷⁵ Such action opened the way for any kind of township uniformity, but prevented any such agreement in larger areas. It did not, however, prohibit suggestions as to texts; for at the third and last session of the Board of Education (in 1861) the committee on text-books made the usual report. There were few changes, it may be said, but Pinneo's grammar once more appears in place of Bullion's — an interesting fact to persons who attended school during that period.³⁷⁶

XXI

THE SELECTION OF TEXT-BOOKS BY LOCAL AUTHORITIES

It was observed in 1866 that the common schools were abundantly supplied with an "excellent and multiplied series of Spellers, Readers and Arithmetics", and that the changes demanded were annoying. Township boards of directors, it was suggested, should determine the series to be used for "some years to come", and then secure a full supply of all such texts to be kept at some central or convenient place for distribution "at a cheap rate". Or, indeed, they might be "loaned or donated", if agreeable to the district. There was also a declaration at this time that "no one thing" could make amends for "corrupt or badly written school books". The excellence of these texts must be regarded as an evidence of the "high moral tone of our country". It was anticipated that persons then living would write a series of common school readers that would far surpass anything of the kind that had yet appeared.³⁷⁷

During the next year (1867) the first text-book by an Iowa author, so far as is known, was published. While it was a small book of one hundred and thirty pages, designed to be used as a text in

grammar and analysis, the author, Jerome Allen, had tested his work fully in his own classes in Monticello. It was said to be distinguished from all other books at the time in that it provided the practical work as well as the fundamentals for a course in English. It was, indeed, a summary of the author's experience in instruction covering a period of fifteen years. It omitted everything not essential to a course in language; it made "grammar interesting"; it began with the very youngest pupil by showing him "how to express his thoughts"; and it required older pupils to "compose sentences from the first day" through the whole course. At the time of publication it was asserted that this text "places grammar among the sciences that can be understood", while teaching the pupil to write and speak correctly.³⁷⁸

While general educational interests would be concerned as much with the preparation and the quality of text-books, the chief local problem at this period centered about their uniform use, at least within the township. In 1867 Superintendent Wells declared that uniformity throughout the State was impractical; throughout the county it was desirable; throughout a township it was important; but in each school it was absolutely essential to successful management. Under laws then in force township uniformity could easily be secured, and moreover it should always be required by the board of directors.³⁷⁹ In several counties of the State during the years just previous to and immediately following

the suggestion by Superintendent Wells, uniformity in some of the larger jurisdictions was practically accomplished under the leadership of the county superintendents and by mutual agreement among school officers. In Dallas County, for instance, Mr. Amos Dilley called a convention of school officers by which uniformity was secured. In Louisa County similar action was taken by Mr. William J. Ronalds, when a series of texts was adopted for county use, it being agreed that the list should not be changed except by a committee of school officers.

Again, in Jefferson County a committee from the county institute in 1868 recommended a list of books suitable for the public schools. Subsequent institutes had approved this selection; and finally about 1870 a convention of school officers agreed to adopt the recommendations made by the institutes. Previous to this action complaints had been frequent relative to the burden of expense for texts; while thereafter in that county few appeared to be dissatisfied. Delaware County had a similar experience, when township uniformity was accomplished through the action of district boards in posting in each school room an exclusive list with instructions as to its use. Henry County had succeeded to some extent in accomplishing the same result by following the advice of the county superintendent. The county institute had led in Pottawattamie County with like success; while through conventions of county officers in Boone, Story, Lyon, Taylor, and probably other counties, the problem was solved by

mutual concession or agreement.³⁸⁰ These latter arrangements followed the legislation in 1872 which prohibited the change of texts by district boards oftener than once in three years unless upon a favorable vote by the electors.³⁸¹

While uniformity was the only thing that was considered as highly advantageous, there were those who in 1872 asserted that "the best and most speedy way to obtain the desired end would be to empower school-boards to own their own text-books, thus, indeed, making our common schools free." There could be no better plan, it was thought, to increase efficiency, to economize in time, and to aid in classification throughout the school system.³⁸²

Moreover, this subject received consideration in the first report of Superintendent von Coelln, who uttered a warning against the theory of State uniformity, quoting extensively from the action of the Minnesota State Teachers' Association in expressing their disapproval of the law in that State which provided for text-books in rural schools. On the other hand, the law enacted by Wisconsin in 1875 was recommended as good legislation — that State having narrowly escaped the error made in Minnesota. In the former Commonwealth, the electors of any district were authorized to delegate power to the board of directors or trustees to purchase text-books, which should be retained as the property of the district. These became available to pupils either through a loan, or under such regulations as the authorities might prescribe.³⁸³

Up to this time (1877) the State of Iowa had legislated very little along these lines. School boards might adopt a series of books, but they were not commanded to do so. Free books were twenty years in the future. Moreover, to make books free was then considered a questionable proceeding, although Wisconsin had in 1877 one hundred thirty-seven districts which loaned books to all pupils. It was clear, however, that the confusion of texts was a great obstruction to progress in the schools not under the direction of well trained instructors and that in any instance uniformity would prove to be of great advantage.

In 1880 there were five bills and one resolution before the House and at least one bill before the Senate, which aimed at cheap and uniform text-books in general — although one bill would provide for a “State Board of Text-book Control”. Early in the session the committee on schools had been instructed to “take special care to devise means and measures” that would secure text-books at the lowest possible prices. This committee combined all of these bills into one measure — which failed of enactment. Its provisions seem to have met with little consideration or respect outside of the General Assembly. Indeed, it was declared to be so “obviously objectionable” that it would do no harm in the legislature.³⁸⁴

On his own motion, at least without suggestion from the report of the State Superintendent, Governor Sherman in his message of 1884 recommended

the State publication of text-books. It was his opinion that by this method the immense profits enjoyed by text-book publishers might be saved to the patrons of the schools; and he was confident that a "committee of competent educators" of the State could be found to edit the necessary books. Furthermore, this would of itself establish uniformity throughout the State—a very desirable result. Accordingly, a bill relative to the matter was introduced in the House, where after being referred to the committee on schools its indefinite postponement was recommended, notwithstanding the fact that previous instructions given by the House would have warranted the committee in submitting some definite measure.³⁸⁵

State uniformity was by no means sufficiently popular to secure much consideration at this time; indeed, the whole question of the book supply was quite unsettled. Neighboring States were laboring with the same problems. The recommendations of the Superintendent of Public Instruction in 1882 would limit the area of uniformity as required by law to the township, while the county might become a unit by voluntary action. Books at cost or free of any charge should be the ultimate aim of all legislation.³⁸⁶

In 1886 when this matter was uppermost in the educational councils and prominent before the General Assembly it appears that United States Senator James F. Wilson expressed his opinion in a letter to Superintendent Akers. The document was pro-

nounced "an eloquent plea for free text-books", but it was utterly opposed to any attempt on the part of the State to enter upon the publication of the same or to dictate the selection in any manner. It would be "unwise and impolitic" to interfere, declared the Senator, since districts should not only be allowed to select but also to own the books used therein.³⁸⁷

The General Assembly of that year had before it at least seven bills relative to free text-books, none of which was permitted to become a law. Moreover, there were evidences of concerted action in the State, since not less than fifteen counties sent up petitions for some legislation that would secure uniformity; while from one county, Taylor, it was specified that the State should supply the texts free of expense. House File No. 403 provided not only for uniform texts but also for a text-book commission. The bill introduced by Mr. D. F. McCarthy of Mitchell County seems to have met with the most favor. It permitted the adoption of free books on a vote of the electors and prohibited any change under five years, unless upon a vote of the district. The board was required to act upon the petition of one-third of the voters — which is substantially the form of the law of 1896.³⁸⁸

But the General Assembly of Iowa appears to have been exceptionally cautious in enacting laws on this subject. Indeed, it has been shown that the only action thus far was the mild statute of the Fourteenth General Assembly, passed in 1872, which

prevented the usual frequent changes. It was during the year 1885 that Superintendent Akers made an exhaustive investigation of the text-book question and the legislation thereon in several States. The entire report was laid before the legislature in 1886, previous to the introduction of the bills referred to above. There were three specific items to be considered, namely, the frequent changes, the attendant expense, and the indiscriminate use of the books — all of which had been before the law-making bodies of other States for solution. Evidence was not wanting, therefore, to support recommendations relative to these points of difficulty. It was found that wherever it had been tried State uniformity enforced by statute had proved inexpedient. A number of States required county uniformity; but the conclusion in general appears to have been for a unit no larger than the township, although the county might in time come to be a more desirable area.

The real solution of the difficulty was declared to be in the "free text-book" in all districts. Other States were already successfully working under such laws. It was shown that, if adopted, this would prove not only more economical but also more satisfactory in other particulars. Favorable comment on free books was then available from Maine (said to be the first State to provide for the optional adoption of the plan), Massachusetts, Vermont, Wisconsin, New York, New Jersey, and California. It was shown, moreover, that there were instances where free books had been supplied in independent city districts for a quarter of a century or more.³⁸⁹

On this subject the Commissioner of Labor in 1885 endeavored to obtain representative opinions from men of different occupations, some of whom considered the text-book problem a serious difficulty. For example, it was said that the whole system of education should be changed so that it might become more practical, and there should be a law "that the same kind of books could be used in the schools". Another thought that there should be a uniformity of texts printed by the State. It was the opinion of still others that "school books are quite a tax; and it is an outrage on the people, the price that publishers put on these books"; that "a great wrong is perpetrated upon us working people, not to have a law so that the same series of school-books can be used in Iowa. Now, with so many changes all the time, it is very hard indeed for the poor people to send all their children to school, as we would like to do". Furthermore, "a uniform system of public school-books, costing less money, would benefit the laboring man with a family very greatly". Finally, "the school books cost too much for a poor man to buy".⁸⁹⁰

Popular opinion was divided, nevertheless, upon the subject of free texts. An investigation made by Superintendent Heath of Poweshiek County revealed the fact that forty-four percent were opposed while forty-one percent favored the proposition. The remainder were undecided, with a tendency to favor State uniformity, though not realizing, it was said, what that meant. It was clear, however,

that an entirely free system would not meet with approval. At the same time the State Teachers' Association declared in favor of district uniformity and for the purchase and sale of books at cost. Governor Larrabee was decidedly opposed to any State interference and believed in district autonomy in this matter.³⁹¹

Superintendent Sabin in 1889 declared that there was not sufficient space in his report to consider "all the objections to this plan of State uniformity." Nowhere had it proved a success, but had resulted in injury to the schools. He thus disposed of the matter, declaring that the real reform would result in free texts as well as other equipment and then schools would be free in fact as well as in name. Such a movement was compared to that of 1858 when the free school law was enacted. That legislation was in his opinion a long step in advance; but it was in some particulars no more advanced than the proposed change to free books. The advantages resulting from the practice where it had been inaugurated were enumerated, and the conclusions were so largely in favor of the change that it would seem no General Assembly could refuse to act on the matter at once, and thus settle the annoyances which have increased as the text-book has grown in usefulness and variety.³⁹²

The Twenty-third General Assembly considered this matter very carefully, it appears, before finally voting on a bill which was approved on May 7, 1890. There were no less than nineteen bills relative to

text-books introduced in the House at this session, and the substitute for all of them necessarily had to include the ideas of many. It appeared advisable, nevertheless, to omit all reference to some features proposed, especially those providing for a text-book commission. The substitute measure was referred to the text-book committee for "careful consideration" before it came up for final action. There were eighteen members who explained their votes for and against the bill. It was said that the record revealed three groups of people: (1) sixty members who approved the measure in its compromise form in order to secure some legislation; (2) thirty members who opposed the measure, desiring State uniformity or nothing; and (3) eight or nine members who opposed the measure, wanting no action whatever. One-third of all the members, it was declared, wished a law permitting the optional adoption of free books by any district.³⁹³ Thus, the first step was taken toward the free text-book plan which, as it happened, was but a few years away. The delay in legislation gave the State an opportunity to profit by the experiences of some neighboring Commonwealths and possibly to escape some unfortunate results.

The law of 1890 provided that all districts or counties might purchase books or other supplies, sell the same to pupils at cost, and return the money received therefor to the contingent fund or the county treasury, as the case might be. One feature which was opposed by many when the bill was up

for consideration provided that the president of the board should not only care for these supplies and receive the payment for the same, but in addition thereto he should be put under bond without any compensation for his services. As might have been expected, the General Assembly in 1894 provided that the entire board should be responsible, while "one or more persons" in the county might be designated as depositaries. Should one-half (since changed to one-third) of the school directors in the county petition for such adoption the law provided that the county superintendent, the county auditor, and the board of supervisors should constitute a board of education whose duty it would then become to provide for a vote on the question. In case of a favorable vote, the board was required to select and contract for text-books and arrange for their sale throughout the county. There was no other function, however, that would justify the designation of this ex officio group as a "board of education". Such a title, indeed, is as misleading as it is in the case of the board known in the present statutes of Iowa as the "State Board of Education".³⁹⁴

Advantage of this act was taken almost at once, fifty towns having advertised for bids early in the summer immediately following the session at which the law was passed. It was clear that a test of the matter would soon determine whether prices could thus be reduced, or whether the advocates of State uniformity and publication would still have reason for complaint. By September, 1891, more than one

hundred cities and towns had secured five-year contracts on text-books, while thirty counties had voted affirmatively on the same proposition. It was estimated, furthermore, that not less than seventy per cent of the districts had made a trial of the act, thus reducing prices "from thirty to fifty per cent". It was reported also that the law was giving "general satisfaction" and that books were cheaper, while there was "much less opposition" than was feared. Two years later six more counties had adopted uniform texts under contract, while township adoption had practically secured the same thing in many others.³⁹⁵

In 1896 the last step was taken toward free text-books and, as often declared, an entirely free school. For many years educational leaders had advocated this measure on an optional basis. Under the law of 1896 the electors of any district on a petition of one-third of their number, could now secure a vote on the question. There was no compulsion as to the use of the free books thus offered, for the patron was still authorized to purchase the same at cost. But no one thereafter need complain, as was shown in the report of the Commissioner of Labor, that books cost too much and that pupils could not, therefore, attend school. The only amendment necessary to reach all was the compulsory purchase and loan of books by all districts without any petition or vote. The statutes of 1896 provided also for a discontinuance of free books on a petition, thus offering an opportunity for any dissatisfied community to abandon the plan.³⁹⁶

A resolution was offered in the House in 1898 requesting the State printer and binder to furnish the legislature the cost per copy, according to certain specified rates, of a series of readers from the "first to fifth inclusive", equal in all respects to the Barnes series then in use in the State, provided the State supplied all the material. This was "laid over", it appears, without further action; but under a resolution offered at the special session in 1897 Superintendent Sabin was requested to make an investigation relative to the method of procuring text-books and supplies and report at the next session of the General Assembly. He was requested, further, to obtain from three publishing houses, not at all connected with the school book trade, estimates as to the cost of "material, press work, and binding, per volume, of each of the various kinds of text-books necessarily used in the public schools of the state".

With the first part of this proposed resolution the Superintendent endeavored to comply, but in reference to the latter part he declared that no publishing house would undertake the task of furnishing estimates without compensation, and no appropriation had been made for that purpose. At the same time it was shown by actual records that prices in Iowa under the law then in force compared favorably with those of five States investigated—including California, the only Commonwealth then operating under a law providing for State publication. It was the opinion of Superintendent Sabin,

after making this comparison, that the Iowa statute was "one of the best yet devised", since all of the advantages that could be obtained through State publication could be had through its provisions. In no State, indeed, were books of the same grade sold for less than in Iowa. The arrangement of purchase and sale by the district was held to be the best possible one outside that of free books as authorized by the law of 1896 and as then practiced by districts in twenty-nine different counties. Forty-three counties had adopted uniform texts under the contract system, while fully half of all the counties in the State were supplying books at publishers' prices through some application of the statute. It was asserted that in no way could State uniformity or State publication aid in the matter. This report preceded the introduction, consideration, and postponement of the Ray bill providing for State uniformity.³⁹⁷

No further agitation of consequence relative to text-books seems to have occurred until 1913. It was not mentioned, indeed, in the 1912 report of the commission of the State Teachers' Association, which was supposed to consider all educational subjects needing new legislation. Nevertheless, a number of bills on the subject appeared in the Thirty-fifth General Assembly. Two of these would create a text-book commission which should provide uniform texts for the State. In the first instance the Superintendent of Public Instruction, the Governor, and five appointed members were to constitute the

commission, while in the second case the Executive Council with the Superintendent should compose that important body. The first bill was indefinitely postponed; while the second was reported unfavorably, although there was a minority report recommending its passage.³⁹⁸ Since these were the most important efforts to change the present system of providing text-books since 1896, it may be said that Superintendent Sabin's conclusions were justified by the refusal of the legislature to adopt a system which he showed had no advantage over the Iowa law.

Thus, as in so many movements, each recurring period of agitation, comparison, recommendation, and legislation seems to have brought the people a little nearer to the solution of the problem; so that one is justified in concluding that if what has been done is not the proper method of securing the best adjustment of books to pupils and of cost to taxpayers, some other system will be tried.

NOTES AND REFERENCES

NOTES AND REFERENCES

CHAPTER I

¹ *Laws of the Territory of Michigan*, Vol. II, pp. 472, 695, 769; Vol. III, p. 1012; *School Laws of Massachusetts*, 1892, p. 6, contains data relative to early school legislation.

² *Laws of the Territory of Michigan*, Vol. III, p. 1326; Aurner's *History of Township Government in Iowa*, p. 17.

³ *Report of the Superintendent of Public Instruction*, p. 23, in the *Iowa Legislative Documents*, 1876, Vol. I; *Iowa Normal Monthly*, Vol. VIII, p. 405.

⁴ *Journal of the House*, 1838-1839, pp. 5, 6. Shambaugh's *Mes-sages and Proclamations of the Governors of Iowa*, Vol. I, p. 77.

While Governor of Ohio, Robert Lucas had urged the "irrevocable appropriation of various trust funds to the support of schools".—Bogart's *Financial History of Ohio*, p. 31.

⁵ *Journal of the House*, 1838-1839, pp. 35, 40, 53, 60, 69, 95, 140, 171, 174.

⁶ *Journal of the House*, 1839-1840, p. 12; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 99, 100.

⁷ *Laws of the Territory of Iowa*, 1838-1839, p. 180; Bowman's *The Administration of Iowa* in the *Columbia University Studies in History, Economics and Public Law*, p. 21. No townships were established under Iowa laws before 1840.

⁸ *Records of the County Commissioners*, February Session, 1840, in the office of the county recorder at Fort Madison, Iowa.

⁹ *Autobiographical Sketch of Edward Langworthy* in *The Iowa Journal of History and Politics*, Vol. VIII, p. 350.

¹⁰ *Laws of the Territory of Iowa*, 1839-1840, p. 101; *Revised Statutes of Michigan*, 1838, p. 238; *Journal of the House*, 1839-1840, pp. 150, 171, 216; *Journal of the Council*, 1839-1840, pp. 120, 124, 129, 156. See also Appendix A. in Vol. II of this work.

¹¹ A communication from Mr. T. S. Parvin to Professor Jesse Macy contained the following:

"When Governor Lucas, the first governor of Iowa Territory, had completed his first Message—a message, by the way, the importance of which has never been fully appreciated—he read it to me, [Parvin] then his private secretary, before my copying it for the legislature. When he came to the part relating to Public Schools he paused, and, knowing my interest in the subject (from my having been for a short time assistant editor of a School Journal in Ohio) he remarked, that while the subject might appear to be in advance of the times in our history, having but few children to educate and no funds to support a school system, it was still necessary to inaugurate a system, and upon a proper (the township) basis, and *especially* so to inform our eastern friends that we meant to start out right and build up a good system as fast as the population and wealth of the territory would warrant."—*Johns Hopkins University Studies*, Vol. II, p. 367.

¹² *Laws of the Territory of Iowa*, 1840–1841, p. 37.

¹³ *Journal of the Council*, 1841–1842, Appendix, p. 278.

¹⁴ *Journal of the Council*, 1841–1842, p. 247, Appendix, p. 291; *Journal of the House*, 1841–1842, p. 281; *Laws of the Territory of Iowa*, 1841–1842, p. 93.

¹⁵ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 256; *Journal of the House*, 1841–1842, p. 131.

¹⁶ *Laws of the Territory of Iowa*, 1841–1842, p. 93.

¹⁷ *Laws of Iowa*, 1845–1846, p. 9.

¹⁸ *Journal of the House*, 1845, p. 216; *Journal of the Council*, 1845, p. 164.

CHAPTER II

¹⁹ *Constitution of Iowa*, 1846, Article X. The provisions of the Constitution of 1846 relative to the common school and university funds and supervision will be presented in later chapters.

²⁰ *Laws of Iowa*, 1846–1847, pp. 19, 21.

²¹ *Laws of Iowa*, 1846–1847, p. 111.

²² *Laws of Iowa*, 1846-1847, p. 127.

²³ *Calkin vs. the State*, 1 Greene (Iowa) 68.

²⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 370.

The laws having been published according to "authority" after the elections in April, 1847, the remaining provisions were then in force. But since this law had repealed that of 1840 there was no executive agency to carry out its requirements until a new election. James Harlan, Superintendent of Public Instruction elect, proceeded, nevertheless, to file bonds and to act at the risk of being removed.

²⁵ *Laws of Iowa*, 1848, p. 76. It was during this special session that provision was made for giving effect to laws through publication in newspapers and through distribution by the Secretary of State, thus preventing a repetition of the error which had occurred the previous year.—*Laws of Iowa*, 1848, p. 11.

²⁶ *Laws of Iowa*, 1848-1849, p. 95. It is interesting to note the function of the county in establishing districts—in 1839 through the county commissioners and in 1849 through a subordinate officer with assigned duties.

²⁷ *Minutes of the School Board*, District No. 3, Iowa City Township, Johnson County, Iowa. This record was kept by Mr. Isaac V. Dennis, the secretary of the board of three members. He donated the use of a site for a school house so long as it should be used for school purposes.

In January, 1853, the county school fund commissioner notified the secretary that he had changed the district boundaries, having attached a part of it to a district in another township. This was in accordance with the *Code of 1851*, p. 183, which required written notice.

²⁸ *First Annual Report* (1854), District No. 1, Bloomington Township, Muscatine County, Iowa, pp. 1-6.

²⁹ *Fifty-third Annual Report of the Board of Education* (1901-1902), Burlington, pp. 35, 37, 38, 39, 40, 42, 43, 50.

³⁰ *Journal of the Senate*, 1850-1851, Appendix, pp. 124-127.

³¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 402, 403, 404.

The Code Commissioners in 1851 paid considerable attention to the

classification of the statutes under the topics of funds and lands, supervision, district organization, and powers.

It is an interesting fact that a constitutional convention was in session in Indiana at this time, and that a large part of its work related to the subject of free schools. Indeed, the contest for free schools was general at this period.—Woodburn's *Higher Education in Indiana*, pp. 55, 63.

³² Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 430, 452.

³³ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1854-1855, Appendix, p. 129.

³⁴ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1854-1855, Appendix, p. 166.

³⁵ *Laws of Iowa*, 1852-1853, p. 157. A bill to amend chapters 66 and 67 of the *Code of 1851*, which related to funds and lands and the Superintendent of Public Instruction passed the House at this session, but received no consideration in the Senate.

It is asserted that Mr. George B. Dennison, the principal of the Muscatine schools in 1852-1853, was instrumental in securing the passage of the "rate bill" law.—Statement made by Homer H. Seerley to the writer.

CHAPTER III

³⁶ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1854-1855, Appendix, pp. 159, 160.

³⁷ *Report of the Superintendent of Public Instruction in the Journal of the House*, 1856-1857, appendix volume, pp. 655, 660.

³⁸ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 20, 36; *Laws of Iowa*, Extra Session, 1856, p. 78.

³⁹ *Report of the Commission of the Revision of the School Laws in the Journal of the House*, 1856-1857, appendix volume, p. 191. In concluding their report the commissioners wrote the following:

"In the spirit of their recommendation to enlist in this great cause the unpaid services of others, they beg to present this result of their labors free of all charge, except for necessary expenses. It only remains for them to await, with no small solicitude, that legis-

lative action upon which, in their judgment, hang such important consequences for the future.”

⁴⁰ The following statement was made by Mr. James C. Gilchrist, the first president of the Iowa State Normal School:

“It was while I was a student at Antioch college, of which, as you well know, Mr. Mann was president, that the commission came to him to prepare a system of school laws for Iowa. . . . I had occasion to call on him at his study and found him busy writing he remarked in substance as follows: ‘I am engaged to-day in preparing a report to the legislature of Iowa and formulating a body of school laws for that new western state, having been invited to do so by the proper authorities.’ ”—*Report of the Superintendent of Public Instruction*, p. 122, in the *Iowa Legislative Documents*, 1898, Vol. II.

⁴¹ *Proceedings of the Second Reunion of the Tipton Union School*, 1887, pp. 52, 53.

⁴² *Laws of Iowa*, 1856–1857, p. 234; Swan’s *Revised Statutes of Ohio*, 1854, p. 858. See also Appendix B. in Vol. II of this work, where the Ohio union school law of 1854 and the Iowa law of 1857 are printed in parallel columns for purposes of comparison.

⁴³ *The Voice of Iowa*, Vol. I, pp. 117, 119, 141–145.

⁴⁴ *Proceedings of the Second Reunion of the Tipton Union School*, 1887, pp. 52, 53.

⁴⁵ *Report of the Superintendent of Public Instruction*, pp. 12, 13, 22, 23, in the *Iowa Legislative Documents*, 1857.

⁴⁶ *The Voice of Iowa*, Vol. II, pp. 6, 8. This reference contains an address to the citizens of Iowa by Mr. Christopher C. Nestlerode.

⁴⁷ *The Voice of Iowa*, Vol. II, pp. 165, 180. It was said in 1857 that all of the leading towns in Ohio had adopted the union school law which had been enacted in 1849.

⁴⁸ *Constitution of Iowa*, 1857, Article IX.

⁴⁹ Shambaugh’s *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 48.

⁵⁰ *First Annual Report of the Board of Education of the City of Dubuque* quoted in *The Voice of Iowa*, Vol. I, pp. 182, 183.

CHAPTER IV

⁵¹ *Journal of the Senate*, 1856, pp. 98, 246, 295, 317, 352, 353, 427, 462; *Laws of Iowa*, 1858, p. 57.

⁵² *Laws of Iowa*, 1858, pp. 57-88. When this act was passed the county judge was "the accounting officer and general agent of the county", having succeeded the county commissioners in 1851. He in turn was to be displaced by the county board of supervisors in 1861.—*Code of Iowa*, 1851, p. 21.

It appears that Mr. Theodore Guelich of Davenport was employed to translate this act into the German language for the German citizens of Iowa.—*Laws of Iowa*, 1858, p. 432.

⁵³ *The New School Law and Report upon the Establishment of a High School for Dubuque County*, 1858.

⁵⁴ Aurner's *Leading Events in the History of Johnson County*, pp. 291, 292.

⁵⁵ *Records of the Board of Education*, Iowa City Township, 1858-1871, pp. 1-3; Aurner's *Leading Events in the History of Johnson County*, p. 271.

⁵⁶ *The District Township of the City of Dubuque vs. the City of Dubuque*, 7 Iowa 262.

⁵⁷ *Acts, Resolutions and Forms, Adopted by the Board of Education*, First Session, pp. 4, 34.

⁵⁸ *The Iowa Instructor*, Vol. I, pp. 89, 92.

⁵⁹ *Report of the Superintendent of Public Instruction*, pp. 16, 23, 29, in the *Iowa Legislative Documents*, 1859-1860; *Report of the Secretary of the State Board of Education*, 1859, p. 16.

⁶⁰ *The Iowa Instructor*, Vol. I, pp. 90, 91.

⁶¹ *Acts, Resolutions and Forms, Adopted by the Board of Education*, First Session, pp. 10, 20, 24.

A township having few inhabitants might constitute a single district, in which case it was necessary to provide for a board of three directors. When there were but two districts in a township one director was to be chosen at large.

⁶² Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 141, 142.

⁶³ *The Iowa Instructor*, Vol. I, p. 249.

⁶⁴ *The Iowa Instructor*, Vol. II, pp. 58, 122.

⁶⁵ *The Iowa Instructor*, Vol. I, p. 223, Vol. II, p. 221. Besides the supervision by the board of directors and the superintendent, a visiting committee of three for each school was annually appointed to examine and report upon their respective charges.

⁶⁶ *The Iowa Instructor*, Vol. I, p. 252.

⁶⁷ *The Iowa Instructor*, Vol. II, p. 177.

⁶⁸ *The Iowa Instructor*, Vol. II, p. 158.

⁶⁹ *The Iowa Instructor*, Vol. II, pp. 150, 156, 249.

⁷⁰ *Report of the Secretary of the State Board of Education*, pp. 3-6, in the *Journal of the State Board of Education*, 1861.

About this time attention was called to the fact that school taxes in Pennsylvania were three times those of Iowa while the total expenditures in the two States were about as six to one.

⁷¹ *Journal of the State Board of Education*, 1861, p. 71. By the law providing for the election of the State Board of Education its sessions following that of December, 1858, which was fixed by the Constitution, were to be held in December, 1859, and every second year thereafter.—*Laws of Iowa*, 1858, p. 340.

⁷² *Laws of Iowa*, 1862, pp. 204-223.

⁷³ *The Iowa Instructor and School Journal*, 1862, Vol. I, pp. 28, 31. *The Iowa Instructor* and *The Iowa School Journal* were combined in 1862.

⁷⁴ *The Iowa Instructor and School Journal*, Vol. I, p. 123.

⁷⁵ *The Iowa School Journal*, Vol. III, pp. 241-243.

⁷⁶ *Report of the Secretary of the State Board of Education*, p. 43, in the *Iowa Legislative Documents*, 1864, Vol. I. See also the *Report of the Acting Secretary*, p. 5, in the *Iowa Legislative Documents*, 1864, Vol. I.

⁷⁷ *Report of the Secretary of the State Board of Education*, pp. 1-12, in the *Iowa Legislative Documents*, 1864, Vol. I.

⁷⁸ *Report of the Acting Secretary of the State Board of Education*, pp. 5, 6, in the *Iowa Legislative Documents*, 1864, Vol. I.

⁷⁹ *Report of the Acting Secretary of the State Board of Education*, pp. 10, 31, 33, 36, 38, 39, 40, 41, 56, in the *Iowa Legislative Documents*, 1864, Vol. I.

⁸⁰ *Laws of Iowa*, 1864, p. 53.

CHAPTER V

⁸¹ *The Iowa Instructor and School Journal*, Vol. VI, p. 121. School officers reported general approval of the statutes then in force, but suggested some amendments in reference to their own duties in townships.

⁸² *The Iowa Instructor and School Journal*, Vol. VI, pp. 123, 149–151.

⁸³ *The Iowa Instructor and School Journal*, Vol. VI, p. 152.

⁸⁴ *The Iowa Instructor and School Journal*, Vol. VI, pp. 24, 25, 148, 219. At this time Mr. J. E. Dow was the principal and superintendent at Burlington, and Mr. Finley M. Witter occupied the same position at Muscatine. In Burlington there were four principals: for “North Hill”, Mr. Chas. P. De Hass; for “South Hill”, Mr. J. R. McCullough; for “South Boundary”, Mr. Milton Campbell; and for “Dutch Town”, Miss Jennie Chapman.

⁸⁵ *The Iowa Instructor and School Journal*, Vol. VI, p. 317, Vol. VIII, p. 211. There is reference also to a township graded school at Brooklyn in Poweshiek County.

⁸⁶ *Catalogue of Monticello Graded School and Academy*, 1866–1867, pp. 12–14. This township organization was overthrown when Monticello became an independent district in 1876.—*The Iowa Normal Monthly*, Vol. III, p. 262.

⁸⁷ *Report of the Superintendent of Public Instruction*, pp. 22, 23, in the *Iowa Legislative Documents*, 1868, Vol. I. When the Board of Education was abolished in 1864, Mr. Oran Faville was appointed to the office of Superintendent of Public Instruction.

⁸⁸ *The Iowa Instructor and School Journal*, Vol. VII, p. 251, Vol. VIII, p. 116; *Journal of the House*, 1866, p. 376.

⁸⁹ *Report of the Superintendent of Public Instruction*, p. 84, in the *Iowa Legislative Documents*, 1868, Vol. I.

⁹⁰ *Report of the Superintendent of Public Instruction*, pp. 63, 64, in the *Iowa Legislative Documents*, 1868, Vol. I.

⁹¹ *Report of the Superintendent of Public Instruction*, pp. 91-94, in the *Iowa Legislative Documents*, 1868, Vol. I. William J. Ronalds was the county superintendent who was probably responsible for the details of this organization.

⁹² Elsewhere schools for the colored pupils were not yet fully established, for in Muscatine trouble arose over the exclusion of such persons from one of the district schools, the cause of the exclusion being attributed to the objection to color.

In the case of *Clark vs. the Board of Directors* the changes which had been made in the status of the colored youth of the State under the school laws were pointed out very clearly by Judge Chester C. Cole. In the first place, the law of 1847 definitely stated that the school should be open and free alike to "all white persons" in the district between the ages of five and twenty-one. By the law of 1849 the secretary of the district board was required to keep a list of the names of all "white persons" of school age in the district. The *Code of 1851* had exempted the personal property of "blacks and mulattos" from taxation. The law of March 12, 1858, had provided for separate schools for *colored youths* unless unanimous consent was obtained to admit them to white schools.

By the Constitution of 1857 the State Board of Education was authorized to provide for the education of "all the youths of the State". In the law which was passed in accordance with this provision each district was required to establish one or more schools for the "instruction of youth" between the ages specified, and there was no exemption from taxation of the property of colored persons. Again, in 1862 these provisions were retained in the consolidation of the school laws.

Thus, it was shown that there had been three distinct phases of legislation upon the subject: (1) the total exclusion of the colored youth, but exemption of property from taxation; (2) the permission of limited school privileges in separate schools; and (3) the allowance of equal school privileges to all. The decision of the lower court to compel admission of colored youth to a grammar school in Muscatine was affirmed.—24 *Iowa* 266.

A school for colored children was opened in Dubuque in 1865 in the basement of the Methodist Church which was rented by the board for that purpose.—*Report of the Board of Education* (Dubuque), 1878, p. 68.

⁹³ *The Iowa Instructor and School Journal*, Vol. VIII, pp. 29, 30, 31, 96, 317, 344, Vol. IX, p. 89, Vol. X, p. 55.

⁹⁴ *Report of the Superintendent of Public Instruction*, pp. 100, 105, in the *Iowa Legislative Documents*, 1868, Vol. I.

⁹⁵ *Shambaugh's Messages and Proclamations of the Governors of Iowa*, Vol. III, p. 100.

⁹⁶ *Report of the Superintendent of Public Instruction*, pp. 35-37, in the *Iowa Legislative Documents*, 1870, Vol. I.

It was in 1869 that Professor Samuel Calvin, while principal of the Fourth Ward School in Dubuque, gave lectures in geology every Saturday evening in the rooms of the Institute of Science and Arts.

⁹⁷ *Report of the Superintendent of Public Instruction*, p. 58, in the *Iowa Legislative Documents*, 1870, Vol. I. See chapter on libraries in Vol. II of this work for further discussion of this subject.

⁹⁸ *The Iowa School Journal*, Vol. XI, pp. 23, 59; *Report of the Superintendent of Public Instruction*, p. 59, in the *Iowa Legislative Documents*, 1872, Vol. I.

⁹⁹ *Report of the Superintendent of Public Instruction*, pp. 35-49, in the *Iowa Legislative Documents*, 1872, Vol. I; *The Iowa School Journal*, Vol. XIII, p. 179.

The Superintendent's report for 1870-1871 contains, probably, the most complete discussion on moral and religious training in the schools to be found in any official Iowa document.

¹⁰⁰ *Report of the Superintendent of Public Instruction*, p. 211, in the *Iowa Legislative Documents*, 1872, Vol. I. It is worthy of mention that some Iowa counties where railroad taxes had been voted were somewhat embarrassed by the heavy indebtedness thus incurred, and there were some of that number where further taxes for schools were not cheerfully voted.

¹⁰¹ *Report of the Superintendent of Public Instruction*, pp. 149, 167, 182, in the *Iowa Legislative Documents*, 1872, Vol. I.

¹⁰² *Report of the Superintendent of Public Instruction*, p. 114, in the *Iowa Legislative Documents*, 1872, Vol. I; *Laws of Iowa*, 1870, p. 140.

¹⁰³ Mr. H. M. Hoon, superintendent in Benton County, had traveled 2300 miles, made 293 visits, held ten township and two county institutes, and conducted a county normal of six weeks during the biennial period of 1870-1871. This is typical of what occurred in other counties.

¹⁰⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. III, pp. 270, 339.

¹⁰⁵ *Laws of Iowa*, 1872, p. 134; *Code of 1873*, p. 327.

CHAPTER VI

¹⁰⁶ From an address by Mr. C. P. Rogers before the Iowa State Teachers' Association at Davenport, August 27-29, 1872.—*The Iowa School Journal*, Vol. XIV, p. 85.

¹⁰⁷ *Report of the Superintendent of Public Instruction*, pp. 15-17, in the *Iowa Legislative Documents*, 1874, Vol. I. For the five years ending in 1873, Polk County alone spent \$375,000 for school buildings. Lyon County in 1872 had but three school houses and seven schools, but at the end of 1873 had nineteen school houses and twenty-six schools. It was in 1872 also that the last log school house was abandoned in Tama County.

¹⁰⁸ *The Iowa School Journal*, Vol. XIV, p. 127. Three of those recorded are living at this date (1914): Mr. L. M. Hastings, Iowa City, retired; Mr. Albert Loughridge, professor in Des Moines College; Mr. Irwin Shepard, Winona, Minnesota, who for many years, until August, 1912, was the permanent secretary of the National Education Association.

¹⁰⁹ *Report of the Superintendent of Public Instruction*, p. 97, in the *Iowa Legislative Documents*, 1874, Vol. I.

¹¹⁰ *Report of the County Superintendent*, Des Moines County, 1870, p. 7.

¹¹¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. IV, pp. 47, 141.

¹¹² As late as 1879, when it was thought that the summer schools had been practically abandoned it was learned from actual investigation that not less than one thousand such schools were then in session.—*The Iowa Normal Monthly*, Vol. III, p. 20.

¹¹³ *Report of the Superintendent of Public Instruction*, p. 167, in the *Iowa Legislative Documents*, 1876, Vol. I.

¹¹⁴ *Report of the Superintendent of Public Instruction*, pp. 52-54, in the *Iowa Legislative Documents*, 1878, Vol. I.

In adopting this course in 1877 the town of Lyons provided an

ungraded department for boys engaged in the lumber trade, which was continued for four months during the winter, with an enrollment of sixty. The Grinnell public school announced a similar plan for the winter of 1878-1879.—*The Iowa Normal Monthly*, Vol. I, p. 248, Vol. II, p. 129.

¹¹⁵ *Report of the Superintendent of Public Instruction*, p. 95, in the *Iowa Legislative Documents*, 1878, Vol. I; the same, 1880, Vol. III, pp. 42-56.

Independent of the action of the committee some county superintendents on their own initiative introduced such outlines for the guidance of teachers. This was true in Cedar County under the supervision of Miss Eunice E. Frink, one of the seven women then holding the position of superintendent. The same course was pursued by Mr. R. M. Ewart in Delaware County, and by Mr. W. W. Speer in Marshall County.

¹¹⁶ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. IV, p. 330, Vol. V, pp. 12, 30, 31, 108.

¹¹⁷ Latin in the course of study for the public schools of Independence was the subject of debate during the winter of 1880-1881. Mr. E. H. Ely appeared for the affirmative and Mr. W. E. Parker for the negative. This joint debate occupied two evenings, while a third evening was given to a public discussion. This discussion was preparatory to a vote during the following spring, when Latin was voted down by a large majority.—*The Iowa Normal Monthly*, Vol. IV, pp. 234, 272.

¹¹⁸ *The Iowa Normal Monthly*, Vol. III, pp. 299, 351.

¹¹⁹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. V, pp. 267, 268, 335, Vol. VI, p. 49.

¹²⁰ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VI, p. 15.

¹²¹ *The Iowa Normal Monthly*, Vol. XIII, p. 57. This includes an extended article by President Homer H. Seerley on the advisability of a compulsory attendance law.

¹²² *Report of the Superintendent of Public Instruction*, pp. 6, 212, in the *Iowa Legislative Documents*, 1886, Vol. V.

A carefully compiled table of valuable data from 1847 to the date of the current report was begun by State Superintendent Alonzo

Abernethy in 1873 and was carried out more fully by his successor, Superintendent Carl W. von Coelln. This table was revised and published by succeeding incumbents until 1912, when it failed to appear in the published biennial report. While the earliest figures are not altogether trustworthy, the later records are based on more complete reports.

¹²³ *Report of the Superintendent of Public Instruction*, pp. 170-206, in the *Iowa Legislative Documents*, 1886, Vol. V. The reference is to the individual reports from county superintendents. It appears that Superintendent Jay A. Lapham of Chickasaw County was the first to issue a diploma as evidence of the completion of grade work in the rural school. In 1887 Wapello County reported the observance of graduation; while in the same year in Winneshiek County the diploma from the rural school was said to admit the pupil to the Decorah high school—a feature first reported from this county.

¹²⁴ *Laws of Iowa*, 1886, p. 1; *Report of the Superintendent of Public Instruction*, pp. 12-18, in the *Iowa Legislative Documents*, 1888, Vol. II.

¹²⁵ *Report of the Superintendent of Public Instruction*, pp. 64-194, in the *Iowa Legislative Documents*, 1888, Vol. II. This citation includes the excerpts from the reports of county superintendents for that biennial period.

Some townships were extending the school sessions to eight or nine months. Clinton County contained two townships in which ten, and three others in which nine months were authorized. The average in Jefferson County was returned as eight and a third months.

CHAPTER VII

¹²⁶ *Report of the Superintendent of Public Instruction*, pp. 73, 74, 75, 110, in the *Iowa Legislative Documents*, 1890, Vol. II.

¹²⁷ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VI, pp. 132-134.

¹²⁸ *The Iowa Normal Monthly*, Vol. XI, pp. 313, 398; Vol. XII, p. 438. Mrs. Rebecca S. Pollard, the author of the "Natural Method" of teaching reading, is a resident of Fort Madison, Iowa. She became known internationally through this production, and as late as 1913, at the age of eighty-one, published a volume of poems.

¹²⁹ *The Iowa Normal Monthly*, Vol. XIII, pp. 95-97. For further discussion of the district problem see chapters below in Part III on "School Districts".

¹³⁰ *Report of the Superintendent of Public Instruction*, pp. 29, 30, 34, 35, in the *Iowa Legislative Documents*, 1892, Vol. II. This prophetic declaration of Superintendent Sabin was not fulfilled until about twenty years later; but at this time he clearly foresaw the inevitable in the teacher supply problem.

¹³¹ *The Iowa Normal Monthly*, Vol. XV, p. 56. The "Village School" is here discussed by President Homer H. Seerley.

¹³² *The Iowa Normal Monthly*, Vol. XIV, pp. 453-455.

¹³³ *The Iowa Normal Monthly*, Vol. XV, pp. 4-8. It was in 1889 that Davenport introduced shop work for boys and sewing and domestic science for girls. West Des Moines did not formally organize the work until the fall of 1890, when the central institution, the "High and Industrial School", was opened. Oskaloosa, it appears, had some work of an industrial character as early as 1889, but it was not wholly managed by the school authorities.

¹³⁴ *Report of the Superintendent of Public Instruction*, pp. 162, 168, 180, 186, 190, 194, 198, 205, 207, in the *Iowa Legislative Documents*, 1892, Vol. II.

¹³⁵ *Report of the Superintendent of Public Instruction*, pp. 35-38, in the *Iowa Legislative Documents*, 1892, Vol. II.

¹³⁶ *Hand-Book for Iowa Teachers*, 1890, p. 2. This was the first edition of the *Hand-Book*; but as early as 1863 an effort was made to reach the rural schools through a plan of classification.

¹³⁷ *Report of the Superintendent of Public Instruction*, p. 40, in the *Iowa Legislative Documents*, 1892, Vol. II; *Laws of Iowa*, 1892, p. 32. One can not assert that this legislation is the result of any particular recommendations; but in the absence of any other visible influence it seems reasonable to conclude that considerable confidence was placed in the opinion of the school men.

¹³⁸ *Report of the Superintendent of Public Instruction*, pp. 145-147, in the *Iowa Legislative Documents*, 1896, Vol. II.

¹³⁹ *Report of the Superintendent of Public Instruction*, pp. 143-145, in the *Iowa Legislative Documents*, 1896, Vol. II.

¹⁴⁰ *Report of the Superintendent of Public Instruction*, pp. 125-128, in the *Iowa Legislative Documents*, 1898, Vol. II; *The Iowa Normal Monthly*, Vol. XX, p. 282.

It was in 1896 that Superintendent Henry Sabin was made chairman of the national "Committee of Twelve", appointed for the purpose of studying rural school conditions. Two years were spent in this work, which was the first undertaking of its kind in the United States. The final report of the committee, a volume of over two hundred pages, was placed in every school district in Michigan, was published entire by the School Commissioner of Georgia, and was recommended as a desirable addition to every district library in Iowa. As it so often occurs, the State whose Superintendent was the chairman of the committee failed to honor his efforts.

CHAPTER VIII

¹⁴¹ *The Iowa Normal Monthly*, Vol. XX, pp. 158, 316, Vol. XXI, pp. 196, 205.

¹⁴² *Laws of Iowa*, 1896, pp. 43, 44. One must not conclude that there were no kindergartens in Iowa previous to their legal recognition by this act.

¹⁴³ *Laws of Iowa*, 1894, p. 46. This was included in an act amending Section 1729 of the *Code of 1873*. What the law aimed to accomplish was more thoroughly performed, it appears, through the influence of effective county supervision.

¹⁴⁴ *Laws of Iowa*, 1896, p. 43; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VII, p. 30.

¹⁴⁵ *Report of the Superintendent of Public Instruction*, pp. 280-348, in the *Iowa Legislative Documents*, 1902, Vol. III. From 1860 to 1890 abstracts of the reports of county superintendents were included in the biennial report of the State Superintendent. There appears to have been a recurrence to this custom in 1901.

¹⁴⁶ *Proceedings of the Iowa State Teachers' Association*, 1901, p. 11. Out of a committee of nine which drafted the resolution embodying these conclusions, only two still remained in school work in this State in 1912.

¹⁴⁷ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VII, pp. 131, 132, 280-282.

¹⁴⁸ *Report of the Superintendent of Public Instruction*, pp. 30, 35-38, 46-72, in the *Iowa Legislative Documents*, 1902, Vol. III; the same, 1900, Vol. II, pp. 80, 81.

¹⁴⁹ *Journal of the House*, 1902, pp. 215, 412; *Journal of the Senate*, 1902, pp. 700, 701. The text of this bill appears on page 215 of the *Journal of the House*.

¹⁵⁰ *Report of the Superintendent of Public Instruction*, p. 127, in the *Iowa Legislative Documents*, 1906, Vol. V; the same, 1904, Vol. IV.

¹⁵¹ *Laws of Iowa*, 1902, p. 78. For the further history of the compulsory attendance notion as presented by advocates and in the form proposed by legislation see Vol. II, Chapters III, IV, and XIV of this work.

¹⁵² *Report of the Superintendent of Public Instruction*, pp. lii, liii, liv, lx, in the *Iowa Legislative Documents*, 1904, Vol. IV.

¹⁵³ *Report of the Superintendent of Public Instruction*, p. lxxxiv, in the *Iowa Legislative Documents*, 1904, Vol. IV; *The Iowa Normal Monthly*, Vol. XXVII, p. 196.

The district of Creston adopted the plan of listing all persons of the ages of seven to fourteen and checking from this list those in attendance on "public, private or parochial" schools. All others were placed in the hands of the truant officer—who was also the overseer of the poor—for investigation. The two offices were also combined in Marshalltown in the person of Dr. Rosa Liebig.

¹⁵⁴ *Laws of Iowa*, 1904, p. 113.

¹⁵⁵ *Laws of Iowa*, 1909, p. 180; *Laws of Iowa*, 1913, p. 272. By an omnibus act in 1906 the school year was fixed to commence on July 1st and changes were made in all previous acts affected thereby. Not less than fourteen sections of the present *Code* were modified by this law.—*Laws of Iowa*, 1906, p. 98.

¹⁵⁶ *Laws of Iowa*, 1906, pp. 87-91; *The Iowa Normal Monthly*, Vol. XXXI, pp. 114, 119, 231. Ex-Superintendents Henry Sabin and Richard C. Barrett were among the first not only to endorse this legislation but also to render an opinion on the results.

¹⁵⁷ *Laws of Iowa*, 1907, p. 225.

¹⁵⁸ *Report of the Better Iowa Schools Commission*, 1912, pp. 3, 64. The legislative acts of 1913 due to the activity of this commission

will be designated in the citations to chapters where they are severally mentioned.

¹⁵⁹ *Report of the Superintendent of Public Instruction*, pp. 17, 18, in the *Iowa Legislative Documents*, 1911, Vol. I. More than 15,000 non-resident pupils were attending graded schools at the time of this report in 1910 — an increase of 1300 over the previous year.

¹⁶⁰ See circular accompanying the *Hand-Book* issued by Superintendent Henry Sabin in 1890.

CHAPTER IX

¹⁶¹ Treat's *The National Land System*, p. 266. The grant for "religious purposes" was made only in the case of the purchase by the Ohio Company and the John Cleves Symmes tract.—Donaldson's *The Public Domain*, p. 209.

¹⁶² *Laws of the Territory of Michigan*, Vol. II, pp. 695, 769; Chase's *Statutes of Ohio*, Vol. I, p. 533. Leases of land in Ohio could extend to fifteen years on tracts of from eighty to two hundred acres. No person could lease more than one lot and these should be let to the persons making the most advantageous proposal.

¹⁶³ Cooley's *Michigan: A History of Governments*, p. 308.

¹⁶⁴ *Laws of the Territory of Michigan*, Vol. II, pp. 472, 771. The Michigan law of 1809 was drawn from the State of Vermont; while that of 1827 resembles strongly the early legislation of Massachusetts, and certain provisions therein are quite conclusive as to the source of the act.—See *School Laws* (Massachusetts), 1892, p. 6.

¹⁶⁵ *Laws of the Territory of Michigan*, Vol. II, p. 769. If a collector was forced to sell a part of any tract of land to satisfy a tax, he was instructed by the act of 1829 "to sell so much from the southwest corner thereof in a square form as will satisfy the tax and costs."

¹⁶⁶ *Laws of the Territory of Michigan*, Vol. III, p. 1012.

¹⁶⁷ *Congressional Globe*, 1st Session, 26th Congress, 1839-1840, p. 171. The memorial for land for university purposes and action thereon will be discussed in another place.

¹⁶⁸ *Laws of Iowa*, 1838-1839, p. 180.

¹⁶⁹ *Laws of Iowa*, 1839-1840, p. 113.

¹⁷⁰ *Records of the County Commissioners*, 1843, in the office of the county auditor, Burlington, Iowa.

¹⁷¹ *Records of the County Commissioners*, 1844 and 1846, in the office of the county auditor, Dubuque, Iowa.

¹⁷² *Records of the County Commissioners*, 1843 and 1845, in the office of the county auditor, Davenport, Iowa. The data from these counties were obtained from a personal inspection of the records.

¹⁷³ *Revised Statutes of Michigan*, 1838, p. 238; *Laws of the Territory of Iowa*, 1839-1840, p. 101. See Vol. II, Appendix A. of this work.

¹⁷⁴ *Report of the Superintendent of Public Instruction in the Journal of the Council*, 1841-1842, Appendix, pp. 281, 282, 287, 288.

In 1841 District No. 1 of Denmark Township in Lee County voted a tax amounting to \$103.21, of which ninety dollars was for the pay of teachers (the limit allowed by law), while the balance was to be applied to the purchase of a district library. District No. 4 levied seventy dollars for teacher's salary and five dollars for library purposes.

¹⁷⁵ *Journal of the House*, 1841-1842, p. 132; *Journal of the Council*, 1841-1842, pp. 218, 219. The impression seems to have prevailed in the legislature that no real advance could be made until a fund was established; but they refused to revise the laws on that basis. To create a fund then appeared to be impracticable.

¹⁷⁶ *Journal of the Council*, 1841-1842, Appendix, p. 292.

¹⁷⁷ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 275, 276.

¹⁷⁸ *Laws of Iowa* (Extra Session), 1844, p. 6.

¹⁷⁹ Buffum's *Federal and State Aid to Education in Iowa in The Iowa Journal of History and Politics*, Vol. IV, p. 563; *United States Statutes at Large*, Vol. V, p. 522.

CHAPTER X

¹⁸⁰ *Constitution of 1846*, Article X; *United States Statutes at Large*, Vol. IX, pp. 117, 349.

¹⁸¹ *Laws of Iowa*, 1846-1847, pp. 19, 21. The first of these acts was passed after the Constitution was adopted by the electors, but previous to the act of Congress admitting the State.

- ¹⁸² *Laws of Iowa*, 1846-1847, pp. 111, 134, 135.
- ¹⁸³ *Records of the School Fund Commissioner* in the office of the county auditor, Fort Madison, Iowa.
- ¹⁸⁴ Aurner's *Leading Events in the History of Johnson County*, 1912, p. 237.
- ¹⁸⁵ *Laws of Iowa*, 1846-1847, p. 132; Bowman's *The Administration of Iowa* in the Columbia University *Studies in History, Economics and Public Law*, p. 28.
- ¹⁸⁶ *Laws of Iowa*, 1846-1847, p. 160; Aurner's *Leading Events in the History of Johnson County*, p. 239. The record of the school fund commissioner contains the plats and appraised values of all the school sections in Johnson County.
- ¹⁸⁷ *Report of the Superintendent of Public Instruction* in the *Journal of the Senate*, 1848-1849, p. 322. It is probable that the recommendation for the appointment of a State School Fund Commissioner was suggested by Connecticut, where the plan had been followed for twenty-five years. It was definitely referred to in the next report of Mr. Benton.—*Journal of the Senate*, 1850-1851, Appendix, p. 169.
- ¹⁸⁸ *Laws of Iowa*, 1846-1847, pp. 127, 128, 131.
- ¹⁸⁹ *Laws of Iowa* (Extra Session), 1848, p. 76.
- ¹⁹⁰ *Laws of Iowa*, 1848-1849, p. 72. To secure this loan the State of Iowa issued a bond for \$16,420 payable in five years at ten percent.
- ¹⁹¹ *Laws of Iowa*, 1848-1849, p. 83.
- ¹⁹² *Report of the Superintendent of Public Instruction* in the *Journal of the Senate*, 1850-1851, Appendix, pp. 152-154.
- ¹⁹³ *Report of the Superintendent of Public Instruction* in the *Journal of the Senate*, 1850-1851, Appendix, pp. 155, 156, 157, 161.
- The Mexican War military bounty land warrants were the cause of some of the controversy in this instance, Iowa land having been selected by the holders. The total amount claimed on this 2,000,000 acre sale would have amounted to about \$125,000.
- ¹⁹⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 340, 341.
- ¹⁹⁵ *Report of the Superintendent of Public Instruction* in the *Journal of the Senate*, 1850-1851, Appendix, pp. 159, 161.

¹⁹⁶ The following statistics will indicate the sources of support in forty counties for the two school years:

	1848-1849	1849-1850
County Tax	\$11,005.00	\$10,043.00
Interest on Permanent Fund.....	7,782.00	17,606.00
Voluntary Subscriptions to Teachers Fund	15,932.00	16,805.00
District Tax for Buildings.....	18,228.00	30,759.00
Contingent Fund	1,811.00	3,450.00

— *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1850-1851, Appendix, pp. 181, 185, 191, 195.

¹⁹⁷ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 383.

¹⁹⁸ *Laws of Iowa*, 1848-1849, p. 151; *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1850-1851, Appendix, pp. 162-172.

Michigan, it appears, had adopted the Connecticut plan of a State School Fund Commissioner, while the reverse of that policy — whereby the townships were authorized to control section sixteen both in care and sale by vote of the electors — prevailed in Indiana and Ohio. By this township system it was declared that in Ohio “*millions of money were long since reported from authentic sources, to have been lost from the school fund*”. — Swan's *Revised Statutes of Ohio*, 1854, p. 834a.

¹⁹⁹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 403.

²⁰⁰ *Laws of Iowa*, 1848-1849, p. 98.

²⁰¹ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1850-1851, Appendix, p. 174; *Journal of the Senate*, 1852-1853, Appendix, p. 106.

²⁰² *Report of the Superintendent of Public Instruction* (Supplemental) in the *Journal of the Senate*, 1854-1855, Appendix, pp. 94, 98, 100, 105, 106, 108, 120, 125, 129.

²⁰³ *Laws of Iowa*, 1852-1853, p. 158. The district collector was empowered to add ten cents to each rate bill which was not paid to the proper authority without presentation.

CHAPTER XI

²⁰⁴ *Report of the Superintendent of Public Instruction in the Journal of the Senate, 1854-1855, Appendix, p. 147; Report of the Auditor of State, pp. 126, 127, in the Iowa Legislative Documents, 1911, Vol. I.*

²⁰⁵ *Report of the Superintendent of Public Instruction in the Journal of the Senate, 1854-1855, Appendix, pp. 143, 147.*

²⁰⁶ *Laws of Iowa, 1854-1855, p. 223.* The Superintendent of Public Instruction was required to issue requisitions for all patents for school lands.

²⁰⁷ Shambaugh's *Messages and Proclamations of the Governors of Iowa, Vol. I, p. 452.*

²⁰⁸ Teakle's *The Defalcation of Superintendent James D. Eads in The Iowa Journal of History and Politics, Vol. XII, No. 2, pp. 205, 212.* This is a full account of the claims, counter claims, investigations, and final settlement, to which the reader is referred for details.

²⁰⁹ Shambaugh's *Messages and Proclamations of the Governors of Iowa, Vol. II, p. 29.* While other matters of importance came before the General Assembly in the special session, the controversy over the school fund was probably among the most conspicuous.

²¹⁰ *Laws of Iowa (Extra Session), 1856, p. 95.* At the same session another act prohibiting the Superintendent from acquiring any more school money passed both houses and was signed by the Speaker, but for some reason failed to reach the Governor.—*Journal of the House, 1856-1857, Appendix, p. 707.*

²¹¹ *Report of the Superintendent of Public Instruction in the Journal of the House, 1856-1857, Appendix, pp. 666, 667.*

²¹² Teakle's *The Defalcation of Superintendent James D. Eads in The Iowa Journal of History and Politics, Vol. XII, No. 2, pp. 241-244.*

²¹³ *Report of the Auditor of State, p. 126, in the Iowa Legislative Documents, 1911, Vol. I.*

²¹⁴ *Laws of Iowa, 1856-1857, pp. 1, 5, 8, 243.* By a law of January 28, 1857, Eads was ordered to pay over "all monies now in his hands" to the State treasurer.—*Laws of Iowa, 1856-1857, p. 297.*

²¹⁵ *Constitutional Debates, 1857, Vol. II, pp. 846, 847, 849, 873,*

874. During this debate it was declared that the rate of interest (six percent) which the State would pay might become a "regulator" of interest over the State. Investment in State stocks was feared, and the effect of the repudiation of the debt of California upon Illinois banks was cited.—*Constitutional Debates*, 1857, Vol. II, p. 849.

²¹⁶ *Constitution of Iowa*, 1857, Section 3, Article VII; Section 6, Article IX, Part Second.

²¹⁷ *Constitutional Debates*, 1857, Vol. II, p. 1003. The vote stood thirteen for to twenty against.

²¹⁸ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 47, 48, 57; *Laws of Iowa*, 1856-1857, p. 461.

²¹⁹ *Report of the Superintendent of Public Instruction*, pp. 7, 8, in the *Iowa Legislative Documents*, 1857.

Up to 1895 the Federal land grants for the purposes of education totaled 250,000 square miles: an area equivalent to France, the State of Texas, twice that of Great Britain and Ireland, about six times all of New England, or ten times the State of New York. Previous to 1841 sixteen States had been granted the 500,000 acres. From 1849 to 1860 thirteen States received over 62,000,000 acres of swamp lands, a large part of which was finally appropriated to the purposes of education.—*Report of the Commissioner of Education*, 1894-1895, p. 1509.

CHAPTER XII

²²⁰ *Laws of Iowa*, 1858, pp. 69, 70; *Report of the Commissioners of Revision of the School Laws*, 1856, in the *Journal of the House*, 1856-1857, Appendix, p. 193.

By a law of 1858 counties were authorized, on the approval of the electors, to use the proceeds of swamp lands for public improvements, the erection of public buildings, or for educational purposes.—*Laws of Iowa*, 1858, p. 256.

²²¹ *Laws of Iowa*, 1856-1857, pp. 463, 464. The University lands and funds will receive adequate treatment in volume four of this work.

²²² *Report of the Superintendent of Public Instruction*, 1858, p. 3, in the *Journal of the State Board of Education; The Iowa School*

Journal, Vol. III, No. 1, pp. 39, 40, 41; *Report of the Auditor of State*, p. 45, in the *Iowa Legislative Documents*.

Thomas H. Benton, Jr., became Secretary of the State Board of Education in 1858 by election at the first session.

²²³ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 233; *The Iowa School Journal*, Vol. III, No. 1, p. 42.

The Iowa School Journal was edited at the time by the Secretary of the State Board of Education.

²²⁴ *The Iowa School Journal*, Vol. III, No. 1, pp. 43-47.

²²⁵ *Report of the State Commissioners on the Affairs of the Superintendent of Public Instruction*, pp. 16, 17, in the *Iowa Legislative Documents*, 1859-1860. Of this commission Mr. John A. Kasson was chairman; and Mr. J. M. Griffith and Mr. Thomas Seely were the other members.

²²⁶ *Report of the Commission on State Offices*, pp. 22-25, in the *Iowa Legislative Documents*, 1859-1860.

²²⁷ *Journal of the State Board of Education*, Second Session, p. 43.

²²⁸ *Report of the Secretary of the State Board of Education*, pp. 8, 9, 22, in the *Iowa Legislative Documents*, 1864, Vol. I.

The amount of interest, \$212,720.16, apportioned in 1863 was equivalent to seventy-nine cents for each person of school age, and in such proportion was distributed according to law to townships to be held as a district township fund.

More than half of the letters received at the office of the Secretary of the Board of Education were said to enquire as to how to apportion the fund so received among the subdistricts.—*The Iowa Instructor*, Vol. III, pp. 248, 249.

²²⁹ *Revision of 1860*, pp. 348-355.

²³⁰ *Laws of Iowa*, 1862, p. 168. By an act for the benefit of Amity College the authorities of that institution were permitted to select a half section as an equivalent for the amount already paid on a contract for a large amount of school land and for which the payments had not been met.—*Laws of Iowa*, 1862, p. 159.

²³¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 281, 325-329.

²³² *Laws of Iowa*, 1864, p. 151.

²³³ *Report of the Auditor of State*, pp. 47-53, in the *Iowa Legislative Documents*, 1866, Vol. I; the same, pp. 116, 117, in the *Iowa Legislative Documents*, 1868, Vol. I.

In 1857 the expenditure for education was seventy cents per capita or two dollars and two cents for each person of school age. Ten years later (1867) it had risen to two dollars and twenty-nine cents per capita, or five dollars and fifty-five cents for those of school age. At the same time Massachusetts was expending (figures for 1864) four dollars and thirty-three cents per person of school age. According to taxable property Massachusetts spent 1.72 mills, while Iowa spent 8.08 mills. In other words this Commonwealth was appropriating, according to its ability, nearly five times as much as Massachusetts.—*Report of the Superintendent of Public Instruction*, p. 16, in the *Iowa Legislative Documents*, 1868, Vol. I.

²³⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. III, pp. 45, 316.

²³⁵ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. III, pp. 316-318.

During the year 1868, Minnesota sold 76,000 acres of school lands at an average price of over six dollars an acre. At the same time that State as well as Nebraska fixed a minimum value of five dollars per acre on the school lands—the latter by a provision of the State Constitution.

²³⁶ *Laws of Iowa*, 1870, pp. 28, 47, 241.

²³⁷ *The Iowa School Journal*, Vol. XI, No. 1, p. 23; *The Iowa Instructor and School Journal*, Vol. VIII, p. 251.

²³⁸ *Laws of Iowa*, 1870, p. 251; *Report of the Auditor of State*, p. 107, in the *Iowa Legislative Documents*, 1872, Vol. I.

²³⁹ *Report of the Auditor of State*, pp. 96-98, in the *Iowa Legislative Documents*, 1870, Vol. I. Auditor John A. Elliott declared that "as a general thing it costs more to foreclose a mortgage for the School Fund than it does to foreclose a mortgage due an individual."

²⁴⁰ *Report of the Auditor of State*, pp. 60, 74, 96, in the *Iowa Legislative Documents*, 1870, Vol. I; *Report of the Superintendent of Public Instruction*, pp. 26, 27, in the *Iowa Legislative Documents*, 1870, Vol. I; *Report of the Auditor of State*, p. 83, in the *Iowa Legislative Documents*, 1872, Vol. I.

²⁴¹ *Report of the Auditor of State*, pp. 108, 111, in the *Iowa Legislative Documents*, 1872, Vol. I; *Report of the Superintendent of Public Instruction*, p. 140, in the *Iowa Legislative Documents*, 1872, Vol. I.

CHAPTER XIII

²⁴² *Laws of Iowa* (General), 1872, p. 39.

²⁴³ *Report of the Auditor of State*, pp. 108-110, in the *Iowa Legislative Documents*, 1874, Vol. I.

²⁴⁴ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. V, pp. 24, 31; *Laws of Iowa*, 1880, p. 11; *Laws of Iowa*, 1882, p. 169; *Laws of Iowa*, 1890, p. 35; *Laws of Iowa*, 1900, p. 84; *Laws of Iowa*, 1913, p. 275.

In 1890 there was refunded to Fremont County \$1400. That sum represented the amount of interest paid on lands sold in 1874, but which, being located on the bank of the Missouri River, by the encroachment of the river had been washed away and its former site transferred to the State of Nebraska. Since the purchaser refused to pay for the land that no longer existed the county was entitled to credit for the amount of the sale.

²⁴⁵ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. IV, p. 97; *Laws of Iowa* (Local), 1872, p. 122; *Laws of Iowa*, 1896, p. 221; *Congressional Record*, Vol. XXVIII, Part 3, p. 2759.

²⁴⁶ *Report of the Superintendent of Public Instruction*, pp. 23, 26, 28, 29, in the *Iowa Legislative Documents*, 1874, Vol. I.

In 1872 the original township of Coon in Buena Vista County supported fifteen schools at an expense of \$3000, but of this amount only one-half was paid in as it accrued. The tax levied upon the railroad land was withheld, an effort being made to escape its payment. It became necessary to discount orders as high as fifty percent that fuel and other necessities might be had.

²⁴⁷ *Report of the Superintendent of Public Instruction*, pp. 164, 165, 172, in the *Iowa Legislative Documents*, 1876, Vol. I; the same, pp. 46, 77, in the *Iowa Legislative Documents*, 1878, Vol. I.

The confusion of funds may be shown by a single illustration. In the division of Pilot Township in Cherokee County it appears that

\$600 was paid to Tilden, the new township, as its share but without any records of the amounts in the several funds. The board to whom this was paid made it a general fund on which they drew for any purpose. Of these transactions no record was made. While such procedure was wholly without sanction of law it serves to illustrate the difficulties in fund matters as new townships or districts were organized.

Jones County reported at the same time a number of districts with but a single fund, and so no legal report could be made.

²⁴⁸ *Report of the Superintendent of Public Instruction*, pp. 59, 60, in the *Iowa Legislative Documents*, 1880, Vol. III; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. V, p. 31; *Journal of the House*, 1880, pp. 40, 152, 267, 747; *Journal of the Senate*, 1880, pp. 28, 194.

During the discussion of this bill there was presented in the House a petition from school teachers opposing the change. Doubtless the reasons then offered are no longer valid.

²⁴⁹ *Report of the Superintendent of Public Instruction*, pp. 104, 105, in the *Iowa Legislative Documents*, 1890, Vol. II.

²⁵⁰ *Report of the Better Iowa Schools Commission*, 1912, p. 65.

²⁵¹ *Report of the Superintendent of Public Instruction*, p. 164, in the *Iowa Legislative Documents*, 1876, Vol. I; the same, 1890, p. 107.

²⁵² *Report of the Superintendent of Public Instruction*, pp. 16-19, in the *Iowa Legislative Documents*, 1907, Vol. I.

²⁵³ *Laws of Iowa*, 1913, pp. 262, 268.

²⁵⁴ *Laws of Iowa*, 1913, pp. 265, 269; *Report of the Superintendent of Public Instruction*, pp. 23-25, in the *Iowa Legislative Documents*, 1907, Vol. I.

It was in 1909 that the amount for the contingent fund was increased from five to seven dollars, and for the teachers fund from fifteen to twenty dollars per capita of school age.—*Laws of Iowa*, 1909, p. 177.

CHAPTER XIV

²⁵⁵ *Journal of the Senate*, 1848-1849, pp. 304, 308, 310.

²⁵⁶ *Laws of Iowa*, 1848-1849, pp. 99-101.

²⁵⁷ *Laws of Iowa*, 1848-1849, p. 98.

Wapello Township in Louisa County had four districts established by the inspectors in 1844. The board of directors of District No. 1 reported one hundred fourteen persons of school age. No school houses were provided, however, until the following year, when, out of eighty-six of school age, seventy-four were in attendance. As the law provided, \$100 had been raised by voluntary subscription for a building. Another township in the same county reported six districts, established by the three inspectors in 1847—thus carrying out the provisions of the law of 1840.—*Springer's History of Louisa County*, Vol. I, p. 397.

²⁵⁸ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1850-1851, pp. 121, 123, 173, 174. In October, 1851, there were 1358 organized districts reported in the State, but there is no method by which their extent may be determined. For instance, it is evident that a township consisting of four districts, if a civil division, would be indefinite, since that might include all of or half a county.

²⁵⁹ *Laws of Iowa*, 1854-1855, p. 13. Under the law it was the function of the school fund commissioner to establish districts in the county.

The bill referred to was introduced in the House by Matthew A. Goodfellow, the member from Monroe County.—*Journal of the House*, 1854-1855, p. 83.

²⁶⁰ *Laws of Iowa*, 1856-1857, p. 123. Representative Daniel Cort, of Dubuque County, introduced this measure.—*Journal of the House*, 1856-1857, p. 39.

²⁶¹ *Laws of Iowa* (Extra Session), 1856, p. 84.

A district with the area of a single quarter section was constituted by the General Assembly in Oskaloosa Township in Mahaska County. It was not designated by number, but judging from its area it was probably the independent district of Oskaloosa.—*Laws of Iowa*, 1856-1857, p. 260.

²⁶² *Laws of Iowa*, 1854-1855, p. 15.

²⁶³ See Oldt's *History of Dubuque County* (1911), pp. 914, 915.

²⁶⁴ *Report of the Superintendent of Public Instruction*, pp. 16, 17, in the *Iowa Legislative Documents*, 1857.

CHAPTER XV

²⁶⁵ *Laws of Iowa*, 1858, pp. 57-69. This law was declared unconstitutional in December, 1858, in the case of *The District Township of the City of Dubuque vs. The City of Dubuque*.—7 Iowa 262.

²⁶⁶ *Laws of Iowa*, 1858, p. 57; *Acts, Resolutions and Forms, Adopted by the Board of Education*, First Session, 1858, p. 34.

²⁶⁷ *Acts, Resolutions and Forms, Adopted by the Board of Education*, First Session, 1858, pp. 9, 11, 15, 18.

²⁶⁸ *The Voice of Iowa*, Vol. III, pp. 74-76; Bowman's *The Administration of Iowa in the Columbia University Studies in History, Economics and Public Law*, p. 42.

²⁶⁹ *Report of the Secretary of the State Board of Education*, 1859, pp. 17, 20-22. For some reason this report was not bound in the *Journal of the Board* as published for the years 1858-1862. It appears as a separate publication, copies of which seem to be rare.

²⁷⁰ *Journal of the State Board of Education*, Second Session, 1859, p. 26.

On January 28, 1914, Mr. T. B. Perry declared that he was still of that same opinion and said: "I am still opposed to the township district system, and consider it not so practical as the independent district system."—From a personal letter of the above date.

²⁷¹ *Journal of the State Board of Education*, Second Session, 1859, pp. 41, 42. It is clear that in 1859 sympathy was with the subdistrict organization if independent districts could not be had.

²⁷² *Journal of the State Board of Education*, Third Session, 1861, pp. 45-49, 54-55.

That there were townships where the law worked a hardship may be illustrated from the county of Kossuth, which in 1862 probably consisted of a single township, twenty-four by forty-two miles in extent, and on both sides of the Des Moines River. Since the March meeting occurred when the streams were usually swollen it was requested that an extra township meeting be allowed at some other time of the year.

²⁷³ *Laws of Iowa*, 1862, p. 221.

²⁷⁴ *Laws of Iowa*, 1866, p. 160; *Laws of Iowa*, 1868, p. 32.

²⁷⁵ *Report of the Superintendent of Public Instruction*, pp. 21, 22, in the *Iowa Legislative Documents*, 1868, Vol. I.

In Scott County there were fifteen independent districts and sixteen district townships. Of the fifteen independent districts eleven were organized within two years, 1866-1867.

²⁷⁶ *The Iowa Instructor and School Journal*, Vol. V, p. 149; *Journal of the House*, 1864, pp. 148, 149. The reference in the *Journal of the House* is only to the resolution providing for amendment, not to the debate.

About this time Wisconsin, having tried the independent system, was demanding the district township organization. The report of State Superintendent Josiah L. Pickard of Wisconsin for 1853 was cited as encouraging its adoption.

²⁷⁷ *The Iowa Instructor and School Journal*, Vol. VIII, pp. 334-336. This communication was dated at "Monticello, Iowa, June 1st, 1867." Mr. Allen was then principal of the Monticello Township graded school and academy.

²⁷⁸ *Laws of Iowa*, 1911, p. 163; *Laws of Iowa*, 1913, p. 259.

²⁷⁹ *Report of the Superintendent of Public Instruction*, p. 54, in the *Iowa Legislative Documents*, 1870.

CHAPTER XVI

²⁸⁰ *Laws of Iowa* (General), 1872, p. 75.

²⁸¹ *Report of the Superintendent of Public Instruction*, pp. 33-36, 78, 82, 83, 99, 126, 141, in the *Iowa Legislative Documents*, 1874, Vol. I. County superintendents did not hesitate to show the ill effects of this act in their first reports subsequent to its passage.

²⁸² *Report of the Superintendent of Public Instruction*, p. 20, in the *Iowa Legislative Documents*, 1876, Vol. I. It is possible that the prospect of more than 30,000 petty offices had some influence on the retention of the independent system.

²⁸³ *Report of the Superintendent of Public Instruction*, p. 19, in the *Iowa Legislative Documents*, 1876, Vol. I. It was in 1876 that women were made eligible to any school office in the State.—*Laws of Iowa*, 1876, p. 126.

²⁸⁴ *Report of the Superintendent of Public Instruction*, p. 175, in the *Iowa Legislative Documents*, 1876, Vol. I.

²⁸⁵ *Report of the Superintendent of Public Instruction*, p. 39, in the

Iowa Legislative Documents, 1880, Vol. III; *Laws of Iowa*, 1876, p. 96; *Laws of Iowa*, 1886, p. 145.

²⁸⁶ *Laws of Iowa*, 1876, p. 150.

²⁸⁷ *Report of the Superintendent of Public Instruction*, p. 90, in the *Iowa Legislative Documents*, 1878, Vol. I.

²⁸⁸ *Report of the Superintendent of Public Instruction*, pp. 57, 58, in the *Iowa Legislative Documents*, 1880, Vol. III; *Laws of Iowa* (General), 1872, p. 76.

In 1879 Linn County contained twelve district townships and sixty-four independent districts. In these there were one hundred and fifty-two officers who reported to the county superintendent.

By the provisions of the *Code of 1873* in all independent districts having a population of less than five hundred, the secretary should be one of the three board members, while the treasurer might be a member. Thus, the board might consist of a president, a secretary, and a treasurer — as under the law of 1849.

²⁸⁹ *Laws of Iowa*, 1878, p. 121; *Laws of Iowa*, 1880, pp. 126, 133. A village under this act was described as a collection of inhabitants residing within the limits of a town plat, but possessing no organized town government.

²⁹⁰ *Laws of Iowa*, 1888, p. 83. It was in 1887 that Ohio established the township district, substituting it for the smaller organizations.

²⁹¹ *Report of the Superintendent of Public Instruction*, pp. 102–105, in the *Iowa Legislative Documents*, 1890, Vol. II. Brown Township in Linn County, in 1887, voted to organize the nine subdistricts as one independent district, thus reducing the number of directors from nine to six.

²⁹² *Laws of Iowa*, 1892, p. 32; *Laws of Iowa*, 1896, p. 44.

²⁹³ *Laws of Iowa*, 1894, p. 46; *Code of 1897*, p. 951.

It was in 1894 that women were permitted to vote on the issue of bonds or for increasing the tax levy for municipal or school purposes. — *Laws of Iowa*, 1894, p. 47.

Strictly speaking, the district township since 1897 has been known as the "school township". — *Code of 1897*, p. 932.

²⁹⁴ *Laws of Iowa*, 1906, p. 103; *Code of 1897*, p. 942.

²⁹⁵ *Laws of Iowa*, 1907, p. 153.

²⁹⁶ *Laws of Iowa*, 1911, pp. 159-161.

²⁹⁷ *Laws of Iowa*, 1913, p. 268; *Report of the Better Iowa Schools Commission*, 1912, p. 42.

A two-room building should receive \$250 toward equipment, and \$200 annually; a three-room building, \$350 for equipment and \$500 annually; a four-room or more building, \$500 and \$750 for these respective items.—*Laws of Iowa*, 1913, p. 268.

²⁹⁸ *Report of the Superintendent of Public Instruction*, pp. 142, 143, in the *Iowa Legislative Documents*, 1907, Vol. I; *Report of the Superintendent of Public Instruction*, 1912, Part II, pp. 266, 267.

²⁹⁹ *The Iowa Normal Monthly*, Vol. XXXIII, p. 304. See also the following cases: *State of Iowa vs. The Board of Directors*, 148 Iowa 487; *School District Township et al vs. Independent School District*, et al, 149 Iowa 480; *Wallace vs. School District*, 150 Iowa 711.

The difficulties in Lincoln Township in Black Hawk County, in Wapsinonoc Township in Muscatine County, and two instances in Marshall County—the Clemons and Ferguson attempts at consolidation—are typical.

CHAPTER XVII

³⁰⁰ *The Iowa Normal Monthly*, Vol. X, p. 236.

³⁰¹ *Annals of Iowa* (Howe's Series), Vol. III, p. 3. The data contained in this article was collected by Mr. Theodore S. Parvin who became a resident of Iowa in 1838. The account was published early in 1884.

³⁰² See original copy in possession of the State Historical Society of Iowa; also *Annals of Iowa* (Howe's Series), Vol. III, pp. 6-16.

William R. Ross was county clerk and Zadoc C. Inghram deputy sheriff in Des Moines County during the period of the Michigan jurisdiction.

³⁰³ *Annals of Iowa* (Howe's Series), Vol. III, pp. 15, 16. The characteristic signature of Benjamin Tucker may be found upon records in the office of the county clerk, Burlington, Iowa.

³⁰⁴ *Laws of the Territory of Michigan*, Vol. II, pp. 472, 769.

³⁰⁵ *Annals of Iowa* (Howe's Series), Vol. III, pp. 15, 16.

³⁰⁶ *Laws of the Territory of Iowa*, 1838-1839, p. 181; Downer's

History of Scott County, Vol. I, p. 921; Ellis's *History of Jackson County*, Vol. I, p. 573; Oldt's *History of Dubuque County*, p. 911; Aurner's *Topical History of Cedar County*, Vol. I, p. 156; *History of Lee County*, 1879, pp. 539, 540.

³⁰⁷ See correspondence signed "J. W. J." in the *Burlington Hawkeye and Iowa Patriot*, September 5 and December 10, 1839.

³⁰⁸ *Laws of the Territory of Iowa*, 1839-1840, p. 108.

³⁰⁹ *Journal of the Territorial Council*, 1841-1842, Appendix, p. 288.

³¹⁰ Downer's *History of Scott County*, Vol. I, pp. 921-925. There were also special schools or academies which will be considered in another connection.

³¹¹ Richman's *History of Muscatine County*, Vol. I, p. 342.

³¹² Brewer's *History of Linn County*, Vol. I, pp. 194, 481. Judge Milo P. Smith of Cedar Rapids was thus examined preliminary to his becoming a teacher in Linn County.

³¹³ *Journal of the Senate*, 1848-1849, Appendix, pp. 305, 306, 311. The wages of teachers in 1848 were as follows: for men from \$12 to \$25 per month, generally less than \$15; for women from \$6 to \$12 per month, generally less than \$10.—*Journal of the Senate*, 1848-1849, Appendix, p. 332.

This was little different from wages in New York in 1845 to 1847, during which period they rose from \$13.81 for men and \$6.50 for women in 1845, to \$15.42 for men and \$6.69 for women in 1846, and to \$15.99 for men and \$6.99 for women in 1847 — which was declared to be a steady increase.

An announcement of the annual examination of candidates for positions in the public schools of Dubuque in 1868 indicated that such examination would include five grades: (1) a high school certificate, in which the candidate must obtain an average of at least ninety percent in higher algebra, trigonometry, geology, natural philosophy, physiology, astronomy, chemistry, rhetoric, Latin and Greek; (2) a "Principal of Grammar School Certificate", which required the same standing in all the above except trigonometry, geology, and the languages; (3) a "Grammar Certificate", which would require ninety percent in the common branches, in "universal history" the constitution of the United States, algebra, physical geography and the theory and practice of teaching; (4) a "Secondary Certificate" required a standing

of eighty percent; and (5) a "Primary Certificate" required a standing of seventy percent in the studies last named. Furthermore, the examining committee might add any of these subjects to the list for the advanced certificate examinations.—From a circular issued by the Dubuque Board of Education.

³¹⁴ *Journal of the Senate*, 1848–1849, Appendix, p. 332; *Journal of the Senate*, 1850–1851, pp. 178, 188. One can not say that the statistics for these first years, even on simple items, not to mention finances, are altogether trustworthy.

³¹⁵ *Laws of Iowa*, 1848–1849, pp. 101, 106.

³¹⁶ *Journal of the House*, 1854–1855, Appendix, pp. 162, 163. While the average of wages may have been as indicated, there were great differences which were not reported in the regular way. For example, Miss Hannah Van Dorn taught in Woodbury County in 1855 at \$2 a week and board. A little later Miss Mary E. Wilkins was paid \$50 per month for teaching in Sioux City.—*The Iowa Normal Monthly*, Vol. XXIII, pp. 275, 277.

³¹⁷ See *Annual Report of the Directors of School District No. 1*, Bloomington Township, Muscatine County, Iowa, 1854, pp. 4–6; the same, 1855–1856, p. 9; Richman's *History of Muscatine County*, Vol. I, p. 343.

³¹⁸ *The Voice of Iowa*, Vol. II, p. 165.

³¹⁹ *Report of the Superintendent of Public Instruction*, p. 13, in the *Iowa Legislative Documents*, 1857.

³²⁰ *The Voice of Iowa*, Vol. I, p. 137, Vol. III, p. 9.

³²¹ *Laws of Iowa*, 1846–1847, p. 189.

³²² *Report of the Superintendent of Public Instruction*, p. 18, in the *Iowa Legislative Documents*, 1857. The provision of the law of 1847 for "free students" and the Normal Department in the University made possible certain recommendations of the Mann commission which were incorporated in the law of March 12, 1858, but which were eliminated in December of the same year by the Board of Education.

³²³ *Journal of the House*, 1856–1857, Appendix, p. 199; *Report of the Superintendent of Public Instruction*, pp. 18, 19, in the *Iowa Legislative Documents*, 1857.

³²⁴ The tuition record of Jesse Berry, a teacher in Iowa City, in

1840, indicates a scarcity of cash, since some paid in wood, some in vegetables, and others in washing garments for the teacher.—See Horack's article on *An Account Book of Jesse Berry* in the *Iowa Historical Record*, Vol. XIII, p. 110.

Illustrative of the rates of tuition received in the early schools of Scott County are the following tuition receipts copied from originals in the possession of Mrs. F. S. McGee of Iowa City.

Parkhurst, Mar. 6th, 1847.

Mrs. Ames.

	To C. W. Budd, dr.	
To 1 qr. schooling—Henry Ames		2.50
To use of stove		.10
		<hr/>
		\$2.60

Le Claire, July 21st, '48.

Mrs. L. Ames

To A. I. Brown	Dr.	
for tuition 2 scholars 1 yr. 2.50 each		\$5.00
Rec'd payment		

A. I. Brown

Scott County, July 10th, 1849.

Mrs. Ames

To Geo. Smith	Dr.	
To school tuition fees of 2 scholars 22/33 of a term		
at \$2.50 per scholar per term \$3.35—July 28th, 1849		
Rec'd payment		

Geo. Smith

Le Claire, Dec. 8th, 1849.

Mrs. Ames

To Geo. Smith	Dr.	
To school tuition fees of 2 scholars 61/66 of a term at \$2.50 per scholar		\$4.66
183 days Jan'y 1850		

Rec'd payment

Geo. Smith

Recd of Mrs. Ames one dollar and fifty cents it being in full for schooling up to this date

March 3rd 1851

James M. Mitchell

CHAPTER XVIII

³²⁵ *Laws of Iowa*, 1858, p. 67; *Acts, Resolutions and Forms, Adopted by the State Board of Education*, First Session, 1858, pp. 19, 21.

³²⁶ *The Voice of Iowa*, Vol. III, pp. 51, 52. This committee was composed of Dr. Joshua Maynard of Cedar County; Mr. Thomas Dobson of Crawford County; Mr. J. C. Strong of Chickasaw County; Mr. J. P. Edie of Jackson County; and Mr. Reed Wilkinson of Jefferson County.

³²⁷ *The Voice of Iowa*, Vol. II, p. 119.

³²⁸ *The Iowa Instructor*, Vol. II, p. 248. The extract is from the third biennial report of the Superintendent of Public Instruction of Illinois, and (in March, 1861) was said to be in many respects as applicable to Iowa as to that State.

³²⁹ *The Iowa Instructor*, Vol. II, p. 352. The first examination under this act was held at Bloomington, Illinois, on July 2, 1861.

³³⁰ *The Iowa Instructor*, Vol. II, pp. 365, 367, 371. Not all were agreed on this program in some of its phases, and the resolution was defeated by a vote of forty to fifty-three.

³³¹ *School Laws of Iowa*, 1864, p. 26; see also *Journal of the State Board of Education*.

³³² *Educational Laws, Board of Education*, First and Second Sessions, p. 81.

³³³ *Journal of the State Board of Education*, Third Session, p. 45.

³³⁴ *Report of the Secretary of the State Board of Education*, pp. 6, 7, 39, 40, 41, 44, 47, in the *Iowa Legislative Documents*, 1864, Vol. I.

³³⁵ *Report of the Superintendent of Public Instruction*, pp. 41, 43, 54, 66, 67, in the *Iowa Legislative Documents*, 1866, Vol. I.

During this period the Normal Department of the State University made it possible to maintain a higher standard in the immediate vicinity of the institution.

³³⁶ *The Iowa Instructor and School Journal*, Vol. V, p. 161. On account of failing health Mr. and Mrs. Oran Faville came from De Pauw University to the prairies of Mitchell County just previous to

the establishment of the free schools under the law of 1858. Mr. Faville became Lieutenant Governor and the chairman of the State Board of Education under the provisions of the new Constitution.

³³⁷ *The Iowa Instructor and School Journal*, Vol. V, pp. 344-347. Superintendent A. S. Kissell was later appointed to fill a vacancy in the office of State Superintendent on the death of Mr. D. Franklin Wells; Mrs. M. A. McGonegal had been in charge of the "Model School" in the Normal Department of the State University; while Miss Mary V. Lee had been employed from a normal school in New York. During the year closing in June, 1865, this training school graduated nineteen, its work having attracted much attention.

It was about this time that courses for teachers (not training schools) were offered in Oskaloosa College and Tabor Institute.

³³⁸ *The Iowa Instructor and School Journal*, Vol. VI, pp. 329, 330. Jonathan Piper continued to agitate for institutions for the preparation of teachers; and he was a leader in a later movement to secure a State Normal School in northern Iowa. It may be noted that an honorary A. B. degree was conferred upon him by the State University of Iowa in 1865.

³³⁹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. III, p. 42; *The Iowa Instructor and School Journal*, Vol. VII, p. 252.

³⁴⁰ *Report of the Superintendent of Public Instruction*, p. 48, in the *Iowa Legislative Documents*, 1868, Vol. I; *Laws of Iowa*, 1862, p. 216.

³⁴¹ *Report of the Superintendent of Public Instruction*, pp. 45-47, in the *Iowa Legislative Documents*, 1868, Vol. I.

³⁴² *Report of the Superintendent of Public Instruction*, pp. 24, 60, 61, in the *Iowa Legislative Documents*, 1870, Vol. I.

Dubuque County furnished two instances in which the district provided a home for the teacher, and long service was the result. One may conclude from the limited data that these were German settlements in Iowa to which the system of the fatherland had been transplanted.

³⁴³ *Report of the Superintendent of Public Instruction*, pp. 68, 69, 71, 90, in the *Iowa Legislative Documents*, 1870, Vol. I; *Laws of Iowa*, 1911, p. 148.

³⁴⁴ *Report of the Superintendent of Public Instruction*, pp. 17-31, in the *Iowa Legislative Documents*, 1872, Vol. I.

³⁴⁵ *Report of the Superintendent of Public Instruction*, pp. 163, 170, 185, in the *Iowa Legislative Documents*, 1872, Vol. I.

³⁴⁶ *Report of the Superintendent of Public Instruction*, pp. 166, 174, 212, in the *Iowa Legislative Documents*, 1872, Vol. I.

An original plan of conducting county examinations seems to have been formulated in Harrison County, wherein the superintendent divided his territory into districts and announced, twenty days in advance of the dates in April and October, the time, the place, and the standing required for second, first, and professional certificates.

³⁴⁷ *Laws of Iowa* (General), 1874, p. 45; *Shambaugh's Messages and Proclamations of the Governors of Iowa*, Vol. IV, p. 48.

CHAPTER XIX

³⁴⁸ *The Iowa Instructor and School Journal*, Vol. VIII, p. 153. The Gregg fund has been accumulating under the management of a board of trustees since the affairs of the Association were readjusted. The old public school building in the town of Adel was partly constructed by this Association. On January 1, 1907, the fund amounted to over \$34,000.—*Wood's Past and Present of Dallas County, Iowa*, pp. 97, 98.

³⁴⁹ *The Iowa Normal Monthly*, Vol. I, p. 19, Vol. II, p. 31. The branches at Lettsville and Kossuth were discontinued in 1879, while the public schools at Grandview ceased at the same time to be connected with the normal school.

³⁵⁰ *Report of the Superintendent of Public Instruction*, p. 109, in the *Iowa Legislative Documents*, 1874, Vol. I.

³⁵¹ *The Iowa Normal Monthly*, Vol. II, pp. 136-144, 164, Vol. III, p. 19. The University of Michigan established a similar chair in 1879 with Professor W. H. Payne in charge. His full title was recorded as "Professor of the Science and Art of Teaching."

³⁵² *The Iowa Normal Monthly*, Vol. IV, p. 24, Vol. V, pp. 61, 62, Vol. IX, p. 1.

³⁵³ *The Iowa Normal Monthly*, Vol. VI, p. 439, Vol. VII, p. 30, Vol. XIII, pp. 39, 137, Vol. X, pp. 195, 317; *Report of the Superintendent of Public Instruction*, pp. 164, 166, 170, 172, 180, 182, 184, 186, 194, in the *Iowa Legislative Documents*, 1892, Vol. II.

³⁵⁴ *Report of the Superintendent of Public Instruction*, pp. 51, 116, in the *Iowa Legislative Documents*, 1878, Vol. I.

³⁵⁵ *Report of the Superintendent of Public Instruction*, pp. 66, 67, in the *Iowa Legislative Documents*, 1880, Vol. III.

³⁵⁶ *Report of the Superintendent of Public Instruction*, p. 57, in the *Iowa Legislative Documents*, 1890, Vol. II; the same, pp. 60-62, in the *Iowa Legislative Documents*, 1892, Vol. II.

Wisconsin, as well as some other States, had at this time a legal provision that experience as well as scholarship might be included in extending the duration of certificates.—*Laws of Wisconsin*, 1887, Ch. 79.

³⁵⁷ *Report of the Superintendent of Public Instruction*, pp. 46, 53, in the *Iowa Legislative Documents*, 1894, Vol. II; *Report of the Commissioner of Labor*, pp. 180-285, 246-248, in the *Iowa Legislative Documents*, 1894, Vol. IV.

The extended report of the Commissioner of Labor can only be mentioned since it covers a large part of the State and includes personal accounts from many individuals. It was summarized by the Superintendent of Public Instruction in his report for the biennium 1891-1893.

The average increase in wages during the decade from 1879 to 1889 was shown to be for men \$5.81 per month, and for women \$3.97 per month.

³⁵⁸ *Report of the Commissioner of Labor*, pp. 264, 265, in the *Iowa Legislative Documents*, 1894, Vol. IV.

Superintendent W. W. Speer of Marshall County had made a similar comparison in 1879, when estimating the income of the rural teachers under his jurisdiction. Deducting the cost of living, his conclusions were that the monthly compensation varied in Marshall County from about \$11 to less than \$3.50. At the same time, that county maintained a reputation for many years as one of the most liberal in the payment of rural teachers. It is well known that the figures submitted were far above the average of the State.—See *The Iowa Normal Monthly*, Vol. III, p. 129.

³⁵⁹ *The Iowa Normal Monthly*, Vol. VI, p. 168. This address was read by Superintendent Homer H. Seerley of Oskaloosa.

³⁶⁰ *Report of the Superintendent of Public Instruction*, pp. 21-28, in the *Iowa Legislative Documents*, 1896, Vol. II. State Superin-

tendent Henry Sabin seems to have outlined in 1895 a plan which was subsequently executed piecemeal by the General Assembly.

³⁶¹ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VI, p. 371. For the New York law then in force see the *Report of the Superintendent of Public Instruction*, p. 107, in the *Iowa Legislative Documents*, 1896, Vol. II.

³⁶² *Report of the Superintendent of Public Instruction*, pp. 17, 18, in the *Iowa Legislative Documents*, 1900, Vol. II.

In 1898 Henry Sabin retired from the office of Superintendent of Public Instruction, having served eight years in that position following seventeen years in the public schools of Clinton. No other Superintendent has held the office as thus designated for a longer period than six years.

³⁶³ *Laws of Iowa*, 1900, p. 73; *Laws of Iowa*, 1902, p. 71; *Report of the Superintendent of Public Instruction*, p. 12, in the *Iowa Legislative Documents*, 1902, Vol. III.

³⁶⁴ *Proceedings of the Iowa State Teachers' Association*, 1901, pp. 7, 8.

³⁶⁵ *Report of the Superintendent of Public Instruction*, p. 35, in the *Iowa Legislative Documents*, 1904, Vol. IV. The first inspection of the institutions petitioning for an accredited place under the law was made by Professor Hamline H. Freer of Cornell College, then a member of the State Board of Examiners.

³⁶⁶ *Report of the Superintendent of Public Instruction*, pp. 15, 16, 20, 24, 33, 34, in the *Iowa Legislative Documents*, 1909, Vol. I.

³⁶⁷ *Laws of Iowa*, 1911, p. 148; *Laws of Iowa*, 1913, pp. 261, 263; *Midland Schools*, Vol. XXVI, p. 29.

As recent as 1904 five Iowa counties reported wages as low as \$18; and three of these had a minimum of \$16. As late as 1908 and 1910 some rural districts were offering a compensation of \$25 per month. At the same time, however, others were establishing a wage as high as \$60 or more.

CHAPTER XX

³⁶⁸ *Journal of the Senate*, 1850-1851, Appendix, p. 130.

³⁶⁹ *Report of the Superintendent of Public Instruction in the Journal of the Senate*, 1854-1855, pp. 148-150.

³⁷⁰ *Journal of the House*, 1856-1857, Appendix, pp. 672-674.

³⁷¹ *Report of the Superintendent of Public Instruction*, p. 25, in the *Iowa Legislative Documents*, 1857.

³⁷² *Acts, Resolutions and Forms, Adopted by the Board of Education*, First Session, p. 59; *Journal of the Board of Education*, First Session, pp. 67, 68.

³⁷³ *Journal of the Board of Education*, Second Session, pp. 25, 26, 48, 55, 56.

³⁷⁴ *Educational Laws of the State of Iowa Passed by the Board of Education*, First and Second Sessions, p. 53.

³⁷⁵ *Revision of 1860*, p. 360. This was Chapter 139 of the session laws of 1860.

³⁷⁶ *Journal of the Board of Education*, Third Session, p. 63.

CHAPTER XXI

³⁷⁷ *The Iowa Instructor and School Journal*, Vol. VII, pp. 164, 165.

³⁷⁸ *The Iowa Instructor and School Journal*, Vol. IX, p. 55. Jerome Allen was the author also of a system of map drawing which was adopted in the schools of New York.

³⁷⁹ *Report of the Superintendent of Public Instruction*, p. 53, in the *Iowa Legislative Documents*, 1868, Vol. I.

In 1866 the use of the metric system of measurements was legalized by Congress and provision was made for its use in the postal service. Its adoption in the States being predicted, its introduction as a public school study in Iowa was immediately urged. Much attention, it may be said, was given to it not only in public educational meetings in this State, but also in the reports of the Superintendent of Public Instruction and in the *School Journal*.

³⁸⁰ *Report of the Superintendent of Public Instruction*, pp. 68, 92, in the *Iowa Legislative Documents*, 1868, Vol. I; the same, p. 49, in the *Iowa Legislative Documents*, 1870, Vol. I; the same, pp. 164, 172, 178, 205, in the *Iowa Legislative Documents*, 1872, Vol. I; the same, pp. 80, 121, 135, 137, in the *Iowa Legislative Documents*, 1874, Vol. I. All these references are to individual reports from county superintendents.

In 1868 all authority granted to the Superintendent of Public Instruction relative to text-books was formally repealed.—*Laws of Iowa*, 1868, p. 224.

³⁸¹ *Laws of Iowa* (General), 1872, p. 85.

³⁸² *Report of the Superintendent of Public Instruction*, pp. 191, 203, in the *Iowa Legislative Documents*, 1872, Vol. I. Such a measure was proposed by Superintendent William Langham of Linn County and by Superintendent John A. Nash of Polk County.

³⁸³ *Report of the Superintendent of Public Instruction*, pp. 38-43, in the *Iowa Legislative Documents*, 1878, Vol. I; *Laws of Wisconsin*, 1875, p. 610.

In 1878 the legislature of Wisconsin appointed a commission of five members, with the Superintendent of Public Instruction as chairman, to make an investigation of the propositions made to that body relative to uniformity of text-books for the State. They were to consult the experience of other States.—*Laws of Wisconsin*, 1878, p. 623.

³⁸⁴ *Journal of the House*, 1880, pp. 177, 341, 421; *The Iowa Normal Monthly*, Vol. III, p. 267.

³⁸⁵ Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. V, p. 268; *Journal of the House*, 1884, pp. 118, 154, 450.

³⁸⁶ *Report of the Superintendent of Public Instruction*, p. 35, in the *Iowa Legislative Documents*, 1882, Vol. II.

³⁸⁷ *The Iowa Normal Monthly*, Vol. IX, p. 263.

³⁸⁸ *Journal of the House*, 1886, pp. 341, 865; *The Iowa Normal Monthly*, Vol. IX, p. 317.

³⁸⁹ *Report of the Superintendent of Public Instruction*, pp. 69-87, in the *Iowa Legislative Documents*, 1886, Vol. V.

Pennsylvania passed a free text-book law in 1886.

³⁹⁰ *Report of the Commissioner of Labor*, p. 208, in the *Iowa Legislative Documents*, 1886, Vol. IV.

Through an investigation of the cost of books among more than 1000 pupils in Oskaloosa in 1886 it was discovered that more than half the books were not bought that year. The average cost for all pupils in the elementary schools, not including "slates, pencils, and common stationery", was seventy-five cents; while for the entire number, including 159 in the high school, the average expense was \$1.10. In the high school alone the average was \$3.25.—*The Iowa Normal Monthly*, Vol. IX, p. 382.

³⁹¹ *The Iowa Normal Monthly*, Vol. X, p. 389; *Proceedings of the*

State Teachers' Association, 1887, p. 11; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VI, p. 49.

³⁹² *Report of the Superintendent of Public Instruction*, pp. 89-96, in the *Iowa Legislative Documents*, 1890, Vol. II.

³⁹³ *Journal of the House*, 1890, pp. 123, 189, 325, 520, 546; *The Iowa Normal Monthly*, Vol. XIII, pp. 428, 429.

³⁹⁴ *Laws of Iowa*, 1890, p. 36; *Laws of Iowa*, 1894, p. 45.

³⁹⁵ *Des Moines Leader*, August 9, 1890, quoted in *The Iowa Normal Monthly*, Vol. XIV, p. 72; *Report of the Superintendent of Public Instruction*, p. 93, in the *Iowa Legislative Documents*, 1892, Vol. II; the same, p. 138, in the *Iowa Legislative Documents*, 1894, Vol. III.

By the law of 1890 county superintendents were required to report book adoptions with their contract prices to the State Superintendent of Public Instruction.—See *Report of the Superintendent of Public Instruction*, p. 140, in the *Iowa Legislative Documents*, 1894, Vol. II.

Polk was the first county to adopt books under the law of 1890. Eight publishing houses were represented in the bidding by thirty-two agents.—*The Iowa Normal Monthly*, Vol. XIX, p. 475.

³⁹⁶ *Laws of Iowa*, 1896, p. 43. It was in the spring of 1897 that 1700 voters of East Des Moines petitioned for an election on the question of free books in that independent district.—*The Iowa Normal Monthly*, Vol. XX, p. 348.

³⁹⁷ *Journal of the House*, 1898, p. 317; *Report of the Superintendent of Public Instruction*, pp. 65-87, in the *Iowa Legislative Documents*, 1898, Vol. II. See also the *Report of the Legislative Committee of the Iowa State Teachers' Association*, 1898.

That districts had authority to purchase and furnish books free to pupils before the enactment of the law of 1896 is shown by the action of the board in the Capital Park independent district. In 1897 a member of the board said: "We have had free text-books in our district for eight years." Such action was taken voluntarily by the electors of the district without the legislation requiring a petition; and it seems reasonable to conclude that any district might have thus proceeded if the matter had been properly presented. This illustrates, furthermore, the ability of some communities to get along without new legislation.—*Report of the Superintendent of Public Instruction*, 1898, p. 85.

It is apparent that the resolution to which Superintendent Sabin

refers did not pass. It did not receive, according to the *Journals* the approval of either House or Senate.

³⁹⁸ *Journal of the House*, 1913, pp. 216, 227, 811, 1695. House File No. 78 of the Thirtieth General Assembly (1904) provided for a commission, to be composed of two senators, two representatives, and the Superintendent of Public Instruction, which should select text-books for the State.

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